

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 13 NUMBER 127

Washington, Wednesday, June 30, 1948

TITLE 3—THE PRESIDENT

PROCLAMATION 2792

SUPPLEMENTING PROCLAMATIONS OF DECEMBER 16, 1947 AND JANUARY 1, 1948, CARRYING OUT GENERAL AGREEMENT ON TARIFFS AND TRADE AND EXCLUSIVE TRADE AGREEMENT WITH CUBA, RESPECTIVELY

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS (1), pursuant to the authority conferred by section 350 of the Tariff Act of 1930, as amended by section 1 of the Act of June 12, 1934, by the Joint Resolution approved June 7, 1943, and by sections 2 and 3 of the Act of July 5, 1945 (48 Stat. 943 and 944, ch. 474, 57 Stat. 125, ch. 118, 59 Stat. 410 and 411, ch. 269; 19 U. S. C. (1946) 1351) the period for the exercise of said authority having been extended by section 1 of said Act of July 5, 1945 until the expiration of three years from June 12, 1945 (48 Stat. 944, ch. 474, 59 Stat. 410, ch. 269; 19 U. S. C. (1946) 1352 (c)) on October 30, 1947 the President entered into a trade agreement with the Governments of the Commonwealth of Australia, the Kingdom of Belgium, the United States of Brazil, Burma, Canada, Ceylon, the Republic of Chile, the Republic of China, the Republic of Cuba, the Czechoslovak Republic, the French Republic, India, Lebanon, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, New Zealand, the Kingdom of Norway, Pakistan, Southern Rhodesia, Syria, the Union of South Africa, and the United Kingdom of Great Britain and Northern Ireland, which trade agreement consists of the General Agreement on Tariffs and Trade and the related Protocol of Provisional Application thereof, together with the Final Act Adopted at the Conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment which authenticated the texts of said general agreement and said protocol;

WHEREAS (2) on December 16, 1947 by Proclamation 2761A the President proclaimed such modifications of exist-

ing duties and other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as were then found to be required or appropriate to carry out said trade agreement on and after January 1, 1948 (12 F. R. 8866), which proclamation has been supplemented by Proclamation 2769 of January 30, 1948 (13 F. R. 467), Proclamation 2782 of April 22, 1948 (13 F. R. 2211), Proclamation 2784 of May 4, 1948 (13 F. R. 2439) Proclamation 2790 of June 11, 1948 (13 F. R. 3269) and Proclamation 2791 of June 12, 1948 (13 F. R. 3272),

WHEREAS (3), pursuant to the authority conferred by said section 350, the period for the exercise of said authority having been so extended, on October 30, 1947 the President entered into an exclusive trade agreement with the Government of the Republic of Cuba (T. D. 51819 (Customs)) which exclusive trade agreement includes certain portions of other documents made a part thereof and provides for the customs treatment in respect of ordinary customs duties of products of the Republic of Cuba imported into the United States of America;

WHEREAS (4) on January 1, 1948 by Proclamation 2764 the President proclaimed such modifications of existing duties and other import restrictions of the United States of America in respect of products of the Republic of Cuba and such continuance of existing customs and excise treatment of products of the Republic of Cuba imported into the United States of America as were then found to be required or appropriate to carry out said exclusive trade agreement on and after January 1, 1948 (13 F. R. 21) which proclamation has been supplemented by said proclamations of January 30, 1948, April 22, 1948; May 4, 1948, and June 11, 1948;

WHEREAS (5) said protocol of provisional application has been signed (a) by the Government of India on June 8, 1948 with the result that said Government will be a contracting party to said general agreement on July 9, 1948, (b) by the Government of the Kingdom of

(Continued on p. 3599)

CONTENTS

THE PRESIDENT

Proclamation	Page
Supplement to proclamations carrying out general agreement on tariffs and trade and exclusive trade agreement with Cuba, respectively.....	3597

Executive Order	
Civil service rules and Federal personnel administration; amendment of E. O. 9830.....	3600

EXECUTIVE AGENCIES

Agriculture Department	
Proposed rule making:	
Peoria Union Stock Yards Co., petition for modification.....	3603

Alien Property, Office of	
Notices:	
Vesting orders, etc..	
Amuro, Choral.....	3618
Chemical Marketing Co., Inc.	3620
Funke, Martha, and Herman	
Funke.....	3614
Homma, Choichi.....	3615
Horikoshi, Z., & Co., Inc.....	3619
Ichikawa, Yoshio, et al.....	3615
Imagawa, Daijro.....	3615
Ishii, Shizue.....	3615
Jaeschke, Charles.....	3616
Kitsuda, Dr. Yoshimichi.....	3616
Murata, Kisaburo.....	3616
Nagamatsu, Kiichi.....	3616
P. & M. Neumann K. G. et al.....	3614
Pedersen, Dines Christian.....	3618
Sapper, David E.....	3619
Schomacker, Bole.....	3617
Schroeder, Berthold.....	3617
Yatani, M.....	3617

Child Labor Branch	
Rules and regulations:	
State certificates, acceptance; designation of States.....	3607

Civil Service Commission	
Rules and regulations:	
Competitive service; lists of positions excepted (2 documents).....	3600
Hearing examiners; appointment of incumbents with competitive status.....	3600



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1947.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

1947 SUPPLEMENT to the CODE OF FEDERAL REGULATIONS

The following books are now available:

Book 1. Titles 1 through 7, including, in Title 3, Presidential documents in full text with appropriate reference tables and index.

Book 2: Titles 8 through 17

Book 3: Titles 18 through 30.

Book 4: Titles 31 through 42.

Book 5: Titles 43 through 50.

These books may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D. C., at \$3.50 per copy.

A limited sales stock of the 1946 Supplement (6 books) is still available at \$3.50 a book.

CONTENTS—Continued

Federal Communications Commission	Page
Notices:	
Charges for communications service between U. S. and overseas and foreign points.....	3611
Class B FM broadcast stations; revised tentative allocation plan.....	3613
Hearings, etc..	
Debs Memorial Radio Fund, Inc., et al.....	3611

CONTENTS—Continued

Federal Communications Commission—Continued	Page
Notices—Continued	
Hearings, etc.—Continued	
Donroy Broadcasting Co. et al.....	3612
Gannett, Guy, Broadcasting Services and Oliver Broadcasting Corp.....	3612
Hudson Valley Broadcasting Co., Inc., et al.....	3611
WKOZ.....	3613
Internal Revenue Bureau	
Rules and regulations:	
Off-premises export storage rooms:	
Distilled spirits and wines, drawback.....	3600
Distilled spirits, warehousing.....	3604
Records and reports:	
Distiller's:	
Brandy, production.....	3603
Distilled spirits, production.....	3603
Importer's; importation of distilled spirits and wines.....	3606
Liquors and articles from Puerto Rico and Virgin Islands.....	3601
Proprietor:	
Alcohol, industrial.....	3602
Distilled spirits, tax-paid; bottling.....	3605
Distilled spirits, warehousing.....	3604
Rectifier's; rectification of spirits and wines.....	3605
Records, maintenance, and posting of signs.....	3606
Reports of wholesale liquor dealers, rectifiers and tax-paid bottling houses.....	3600
Interstate Commerce Commission	
Rules and regulations:	
Car service; free time reduced on coal-coke at Great Lakes ports.....	3608
Public Health Service	
Rules and regulations:	
Commissioned officers; restricted grade retirements.....	3607
Securities and Exchange Commission	
Notices:	
Consumers Power Co., hearing.....	3613
Proposed rule making:	
Information unknown or not reasonably available; filing of prospectuses.....	3609
Registration under Securities Act of 1933, Form S-1.....	3609

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3—The President	Page
Chapter I—Proclamations:	
2761A (see Proc. 2792).....	3597
2764 (see Proc. 2792).....	3597

CODIFICATION GUIDE—Con.

Title 3—The President—Con.	Page
Chapter I—Proclamations—Con.	
2769 (see Proc. 2792).....	3597
2790 (see Proc. 2792).....	3597
2792.....	3597
Chapter II—Executive orders:	
9830:	
Amended by E. O. 9973.....	3600
Amended by T. 5, § 6.4.....	3600
9973.....	3600
Title 5—Administrative Personnel	
Chapter I—Civil Service Commission.	
Part 6—Exceptions from the competitive service (2 documents).....	3600
Part 34—Appointment, compensation, and removal of hearing examiners.....	3600
Title 17—Commodity and Securities Exchanges	
Chapter II—Securities and Exchange Commission:	
Part 230—General rules and regulations, Securities Act of 1933 (proposed).....	3600
Part 239—Forms prescribed under the Securities Act of 1933 (proposed).....	3600
Title 26—Internal Revenue	
Chapter I—Bureau of Internal Revenue, Department of the Treasury:	
Part 171—Miscellaneous regulations related to liquor.....	3600
Part 176—Drawback on distilled spirits and wines.....	3600
Part 180—Liquors and articles from Puerto Rico, Virgin Islands, and Philippine Islands.....	3601
Part 182—Industrial alcohol.....	3602
Part 183—Production of distilled spirits.....	3603
Part 184—Production of brandy.....	3603
Part 185—Warehousing of distilled spirits (2 documents).....	3604
Part 189—Bottling of tax-paid distilled spirits.....	3605
Part 190—Rectification of spirits and wines.....	3605
Part 191—Importation of distilled spirits and wines.....	3606
Part 194—Wholesale and retail dealers in liquors.....	3606
Title 29—Labor	
Chapter IV—Child Labor Branch, Department of Labor:	
Part 402—Acceptance of State certificates.....	3607
Title 42—Public Health	
Chapter I—Public Health Service, Federal Security Agency:	
Part 21—Commissioned officers.....	3607
Title 49—Transportation and Railroads	
Chapter I—Interstate Commerce Commission:	
Part 95—Car service.....	3608

Norway on June 10, 1948 and said Government will be such a contracting party on July 11, 1948, and (c) by the Government of Southern Rhodesia on June 11, 1948 and said Government will be such a contracting party on July 12, 1948;

WHEREAS (6) I, Harry S. Truman, President of the United States of America, determine that the application of each of the concessions provided for in part I of schedule XX of said general agreement which were withheld from application in accordance with article XXVII of said general agreement by said proclamation of December 16, 1947 as are identified in the following list is required or appropriate to carry out, on and after the date set forth following the identification of each such concession, said trade agreement specified in the 1st recital of this proclamation:

Item (paragraph)	Rates of duty	Date
52-----	3¢ per gal. [second such rate], identified only as to whale oil.	July 11, 1948
208 (a)-----	2¢ per lb. and 15% ad val.	July 9, 1948
208 (c)-----	All rates-----	July 9, 1948
208 (d)-----	22½% ad val-----	July 9, 1948
301 [fourth]-----	All rates-----	July 11, 1948
302 (d)-----	1½¢ per lb. on the metallic manganese contained therein.	July 11, 1948
302 (e) [first]-----	1¢ per lb. on the manganese contained therein and 10% ad val.	July 11, 1948
302 (e) [second]-----	1½¢ per lb. on the manganese contained therein and 10% ad val.	July 11, 1948
717 (c)-----	5¢ per lb.-----	July 11, 1948
718 (a) [second]-----	All rates-----	July 11, 1948
721 (d)-----	15% ad val-----	July 11, 1948
761 [second]-----	12¢ per lb.-----	July 9, 1948
781-----	12½% ad val-----	July 9, 1948
1008-----	All rates-----	July 9, 1948
1018-----	All rates-----	July 9, 1948
1019-----	9¢ per sq. yd.-----	July 9, 1948
1022 [first]-----	4¢ per sq. yd.-----	July 9, 1948
1022 [second]-----	All rates-----	July 9, 1948
1117 (c)-----	15% ad val-----	July 9, 1948
1502 [first]-----	17½% ad val-----	July 9, 1948
1514 [second]-----	16¢ per lb.-----	July 11, 1948
1535 [sixth]-----	35% ad val-----	July 11, 1948
1707-----	Free-----	July 9, 1948
Section	Rates of import tax	
2491 (a) [first]-----	1½¢ per lb.-----	July 11, 1948

WHEREAS (7) I determine that, in view of the determination set forth in the 6th recital of this proclamation, the addition of the following item to the list set forth in the 8th recital of said proclamation of January 1, 1948, as amended and rectified, is required or appropriate to carry out, on and after July 11, 1948, said exclusive trade agreement specified in the 3rd recital of this proclamation:

Tariff Act of 1930, par.	Description of products	Rate of duty
718 (a)-----	Sardines, neither skinned nor boned but otherwise prepared or preserved in any manner, when packed in oil or in oil and other substances: Valued at over 9 but not over 13 cents per pound, including the weight of the immediate container.	36% ad val.,

WHEREAS (8) I determine that, in view of the determination set forth in

the 7th recital of this proclamation, the addition of the following item to the list set forth in the 7th recital of said proclamation of January 30, 1948, as amended and rectified, is required or appropriate to carry out, on and after July 11, 1948, said trade agreement specified in the 1st recital of this proclamation:

Tariff Act of 1930, par.	Description of products	Rate of duty
718 (a)-----	Sardines, neither skinned nor boned but otherwise prepared or preserved in any manner, when packed in oil or in oil and other substances: Valued at over 9 but not over 13 cents per pound, including the weight of the immediate container.	45% ad val.,

WHEREAS (9) I determine that, in view of the determination set forth in the 6th recital of this proclamation, the following amendments of the list set forth in the 9th recital of said proclamation of January 1, 1948, as amended and rectified, are required or appropriate to carry out said exclusive trade agreement specified in the 3rd recital of this proclamation:

(a) The modification, on and after July 11, 1948, of item 717 (c) in said 9th recital to read as follows:

717 (c) Fish, dried and unsalted: Shark fins: ½¢ per lb.;

(b) The deletion, on and after July 9, 1948, of the following items in said 9th recital:

Item (paragraph)

761 [first]
781 [second]
1018;

and

WHEREAS (10) the amendment contained in the Special Protocol Relating to Article XXIV of the General Agreement on Tariffs and Trade, which protocol was signed on March 24, 1948 and is specified in the 5th recital of said proclamation of June 11, 1948, had on June 7, 1948 been accepted by two-thirds of the contracting parties to said general agreement, including the United States of America;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do proclaim:

PART I

Acting under the authority of said section 350 of the Tariff Act of 1930, as so amended, and to the end that said trade agreement specified in the 1st recital of this proclamation may be carried out, that:

(a) Each of the concessions provided for in part I of said schedule XX which are identified in the 6th recital of this proclamation shall, on and after the date set forth following the identification of each such concession, no longer be identified in the 8th recital of said proclamation of December 16, 1947, and on and after said date the rate of duty representing each such concession identified in said 6th recital of this proclamation

shall be applied, subject to the applicable terms, conditions, and qualifications set forth in said schedule XX, and parts I, II, and III, of said general agreement, and in subdivision (a) other than exception (I) thereof, of said proclamation of December 16, 1947, including any amendments and rectifications of said agreement and said proclamation which have been proclaimed by the President, to articles of a kind provided for in the description of products in the column at the left of said rate; and

(b) The rate of duty specified in the column at the right of the description of products in the 8th recital of this proclamation shall be applied, subject to the applicable terms, conditions, and qualifications set forth therein and in the 7th recital of said proclamation of January 30, 1948, as amended and rectified, to articles of a kind provided for in said description entered, or withdrawn from warehouse, for consumption on and after July 11, 1948, except that no such rate shall be applied to a particular article by virtue of this proclamation if, when the article is entered, or withdrawn from warehouse, for consumption, more favorable customs treatment is prescribed therefor by any of the following then in effect: (i) a proclamation pursuant to said section 350 of the Tariff Act of 1930, as amended, or (ii) any other proclamation, a statute, or an executive order, which proclamation, statute, or order either provides for an exemption from duty or import tax, or became effective subsequent to October 30, 1947;

PART II

Acting under the authority of said section 350 of the Tariff Act of 1930, as so amended, and to the end that said exclusive trade agreement specified in the 3rd recital of this proclamation may be carried out, that:

(a) The rate of duty specified in the column at the right of the description of products in the 7th recital of this proclamation shall be applied, subject to the applicable terms, conditions, and qualifications set forth therein and in the 8th recital of said proclamation of January 1, 1948, as amended and rectified, to products of the Republic of Cuba of a kind provided for in said description entered, or withdrawn from warehouse, for consumption on and after July 11, 1948, except that no such rate shall be applied to a particular article by virtue of this proclamation if, when the article is entered, or withdrawn from warehouse, for consumption, more favorable customs treatment is prescribed therefor by any of the following then in effect: (i) a proclamation pursuant to said section 350 of the Tariff Act of 1930, as amended, or (ii) any other proclamation, a statute, or an executive order, which proclamation, statute, or order either provides for an exemption from duty or import tax, or became effective subsequent to October 30, 1947; and

(b) The list set forth in the 9th recital of said proclamation of January 1, 1948, as amended and rectified, shall be further amended in the manner, and on and

after the respective dates, indicated in the 9th recital of this proclamation; and

PART III

That the amendment contained in said special protocol relating to article XXIV specified in the 5th recital of said proclamation of June 11, 1948 and in the 10th recital of this proclamation became effective, in respect of the United States of America, on June 7, 1948.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 25th day of June in the year of our Lord nineteen hundred and forty-eight and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S. TRUMAN

By the President:

G. C. MARSHALL,
Secretary of State.

[F. R. Doc. 48-5911; Filed, June 29, 1948;
11:54 a. m.]

EXECUTIVE ORDER 9973

AMENDMENT OF EXECUTIVE ORDER NO. 9830 OF FEBRUARY 24, 1947, AMENDING THE CIVIL SERVICE RULES AND PROVIDING FOR FEDERAL PERSONNEL ADMINISTRATION

By virtue of the authority vested in me by section 1753 of the Revised Statutes (5 U. S. C. 631) and by the Civil Service Act of January 16, 1883 (22 Stat. 403) it is ordered, in the interest of the internal management of the Government, that subdivision (f) of section 6.1 of Executive Order No. 9830 of February 24, 1947, amending the Civil Service Rules and providing for Federal personnel administration, be, and it is hereby, amended to read as follows:

(f) Whenever any position in Schedule A or B (§ 6.4) or any position excepted from the competitive service by statute is occupied by a person having a competitive status, such person shall not be entitled to the protection against separation provided by this order and the Civil Service Rules and Regulations: *Provided*, That the Commission shall designate such positions in Schedules A and B as are not of a primarily confidential or policy-determining character, and whenever any position so designated is occupied by a person having a competitive status, however he may have been appointed to such position, he shall be separated therefrom only in accordance with the provisions of this order and the Civil Service Rules and Regulations.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 28, 1948.

[F. R. Doc. 48-5873; Filed, June 28, 1948;
4:03 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

SELECTIVE SERVICE SYSTEM; POSITIONS EXCEPTED

Under authority of § 6.1 (a) of Executive Order No. 9830, and at the request of the Director of the Selective Service System, the Commission has determined that the positions listed below should be excepted from the competitive service under Schedules A and B. Effective upon publication in the FEDERAL REGISTER, § 6.4 (a) (41) and § 6.4 (b) (14) are amended to read as follows:

§ 6.4 Lists of positions excepted from the competitive service—(a) Schedule A. * * *

(41) *Selective Service System.* (i) State Directors.

(ii) Deputy or Assistant State Directors, Procurement Officers, and Medical Officers in State Headquarters.

(iii) Branch or Division Chiefs in State Headquarters in charge of Selective Service Records, when such positions are filled by persons who were serving as State Directors or Assistant State Directors of the Office of Selective Service Records at the time the Selective Service System took over the functions of the Office of Selective Service Records.

* * * * *

(b) *Schedule B.* * * * * *

(14) *Selective Service System.* (i) Positions in the Selective Service System when filled by persons who, as commissioned officer personnel in the armed forces (a) have previously been trained for or have been on active military duty in the Selective Service program, and (b) cannot, for some reason beyond their control, be brought to active military duty in the current Selective Service program.

(Sec. 6.1 (a) E. O. 9830, Feb. 24, 1947
12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-5826; Filed, June 29, 1948;
8:48 a. m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

POSITIONS EXCEPTED

CROSS REFERENCE: For order amending § 6.1 (f) see Executive Order 9973, *supra*.

PART 34—APPOINTMENT, COMPENSATION, AND REMOVAL OF HEARING EXAMINERS

APPOINTMENT OF INCUMBENTS WITH COMPETITIVE STATUS

Section 34.3 (a) is amended to read as follows:

§ 34.3 *Appointment of incumbents—*
(a) *Incumbents with competitive status.* Persons who were serving in positions that became hearing examiner positions on June 11, 1947, who have a competitive status and who were conditionally appointed to hearing examiner positions on June 11, 1947, may be given absolute appointments as hearing examiners, with the prior approval of the Commission, if they are found by the Commission to be qualified and competent to perform the duties of hearing examiners. A person who is found to be unqualified for absolute appointment to the position in which he is serving under conditional appointment may not be continued in the position in which he is serving as a hearing examiner: *Provided*, That if there is available a vacancy in a hearing examiner position at a lower grade for which the Commission finds him to be qualified, he may be given an absolute appointment to such hearing examiner position at a lower grade.

(Sec. 11, 60 Stat. 244, 5 U. S. C. 1010)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-5826; Filed, June 29, 1948;
8:48 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

PART 171—MISCELLANEOUS REGULATIONS RELATING TO LIQUOR

REPORTS OF WHOLESALE LIQUOR DEALERS, RECTIFIERS, AND TAX-PAID BOTTLING HOUSES

CROSS REFERENCE: For revocation of § 171.110 *Additional requirements*, see Parts 180, 182, 183, 184, § 185.478a, Parts 189, 190, 191 and 194 of this chapter, *infra*. Section 171.110 was contained in Treasury Decision 5323 and the orders revoking that treasury decision are contained in Treasury Decisions 5621 through 5629, inclusive.

[T. D. 5631]

PART 176—DRAWBACK ON DISTILLED SPIRITS AND WINES

OFF-PREMISES EXPORT STORAGE ROOMS

1. On April 9, 1948, notice of proposed rule-making regarding the establishment of off-premises rooms for the storage of tax-paid distilled spirits or wines bottled or packaged especially for export was published in the FEDERAL REGISTER (13 F. R. 1932)

2 No objections to the rules having been received, the following amendments of §§ 176.17p, 176.18 (f), 176.17 (f), 176.21 (c) and 176.23 (f) of Regulations 28, approved August 29, 1940 (26 CFR, Part 176), are hereby adopted.

• § 176.16 *Bottling of distilled spirits or wines without rectification by rectifiers and proprietors of tax-paid bottling houses.* * * *

(f) *Transfer and storage pending exportation.* Spirits or wines bottled especially for export under this section may be transferred from the export storage room of the bottler, pursuant to Form 1656, "Application for Transfer of Distilled Spirits or Wines Bottled Especially for Export," to another export storage room at the port of exportation, for storage pending release for direct exportation or use as supplies on vessels or aircraft. Such export storage room at the port of exportation may be established by the proprietor of a tax-paid bottling house or rectifier, under the provisions of Regulations 11 (26 CFR, Part 189) or Regulations 15 (26 CFR, Part 190) whether or not the proprietor of the tax-paid bottling house or rectifier intends to bottle distilled spirits or wines especially for export. An export storage room at a port of exportation may also be established by the proprietor of an internal revenue bonded warehouse contiguous to the bonded premises under the provisions of Regulations 10 (26 CFR, Part 185). Form 1656 will be executed, in quadruplicate (or quintuplicate, if the spirits are to be transferred to another supervisory district) by the bottler or exporter, after appropriate arrangements have been made by him with the proprietor of the export storage room at the port of exportation for such storage. All copies of the form will then be submitted to the district supervisor, or designated officer, for approval. Upon approval thereof, the spirits or wines may be released by the government officer for transfer. The officer will retain one copy for his files, furnish one copy to the bottler, forward one copy to the district supervisor, and forward one copy to the consignee. If the spirits or wines are transferred to another district, he will forward one copy to the district supervisor of such district. The spirits or wines so transferred and stored will be entered for drawback and marked and released for exportation, etc., in accordance with the procedure prescribed by §§ 176.35 to 176.38, inclusive.

• § 176.17 *Bottling of wines by winemakers or proprietors of bonded storerooms.* * * *

(f) *Transfer and storage pending exportation.* Wines bottled especially for export under this section may be transferred pursuant to Form 1656 from the export storage room of the bottler, to another export storage room at the port of exportation, for storage pending release for direct exportation or use as supplies on vessels or aircraft, in accordance with the procedure set forth in § 176.16 (f). Such export storage room at the port of exportation may be established by a winemaker or the proprietor of a bonded storeroom under § 176.15, or by the proprietor of a tax-paid bottling house, or rectifier, under the provisions of Regulations 11 (26 CFR, Part 189) or Regulations 15 (26 CFR, Part 190) whether or not the winemaker or the proprietor of a bonded storeroom intends to bottle wines especially for export, or the proprietor of the tax-paid bottling house or rectifier

intends to bottle spirits or wines especially for export. An export storage room at a port of exportation may also be established by the proprietor of an internal revenue bonded warehouse contiguous to the bonded premises under the provisions of Regulations 10 (26 CFR, Part 185).

PACKAGING OF DISTILLED SPIRITS AND WINES WITHOUT RECTIFICATION

• § 176.17p *Transfer and storage pending exportation.* Spirits or wines packaged especially for export under the provisions of the regulations in this part may be transferred from the export storage room pursuant to Form 1656 to another export storage room at the port of exportation, for storage pending release for direct exportation or use as supplies on vessels or aircraft. Such export storage room at the port of exportation may be established by the proprietor of a tax-paid bottling house or a rectifying plant, under the provisions of Regulations 11 (26 CFR, Part 189) or Regulations 15 (26 CFR, Part 190), whether or not the proprietor intends to package distilled spirits or wines especially for export. An export storage room at a port of exportation may also be established by the proprietor of an internal revenue bonded warehouse contiguous to the bonded premises under the provisions of Regulations 10 (26 CFR, Part 185). Form 1656 shall be executed in quadruplicate (or quintuplicate, if the spirits or wines are to be transferred to another supervisory district) by the packer or exporter after appropriate arrangements have been made by him with the proprietor of the export storage room at the port of exportation for such storage. All copies of the form will then be submitted to the district supervisor, or designated officer, for approval. On approval thereof, the spirits or wines may be released by the Government officer for transfer. The officer shall retain one copy for his files, furnish one copy to the packer, forward one copy to the district supervisor, and forward one copy to the consignee. If the spirits or wines are transferred to another district, the storekeeper-gauger shall forward one copy to the district supervisor of such district. Spirits or wines so transferred and stored will be entered for drawback and marked and released for exportation, etc., in accordance with the procedure prescribed in §§ 176.35 to 176.38, inclusive.

• § 176.21 *Application, Form 237.* * * *

(c) *Transfer and storage pending exportation.* Spirits and wines bottled or packaged especially for export under the provisions of this section may be transferred from the export storage room of the bottler or rectifier, pursuant to Form 1656, to another export storage room at the port of exportation for storage pending release for direct exportation or use as supplies on vessels or aircraft, in accordance with the procedure prescribed in § 176.16 (f). Such export storage room at the port of exportation may be established by the proprietor of a tax-paid bottling house or a rectifier, under the provisions of Regulations 11 (26 CFR, Part 189) or Regulations 15 (26 CFR, Part 190), whether or not the proprietor

of the tax-paid bottling house or the rectifier intends to bottle or package distilled spirits or wines especially for export. An export storage room at a port of exportation may also be established by the proprietor of an internal revenue bonded warehouse contiguous to the bonded premises under the provisions of Regulations 10 (26 CFR, Part 185).

• § 176.23 *Bottling by person other than rectifier.*

(f) *Transfer and storage pending exportation.* Spirits and wines bottled especially for export under this section may be transferred pursuant to Form 1656 from the export storage room of the bottler to another export storage room at the port of exportation, for storage pending release for direct exportation or use as supplies on vessels or aircraft, in accordance with the procedure prescribed by § 176.16 (f). Such export storage room at the port of exportation may be established by the proprietor of a tax-paid bottling house or rectifier, under the provisions of Regulations 11 (26 CFR, Part 189) or Regulations 15 (26 CFR, Part 190) whether or not the proprietor of the tax-paid bottling house or rectifier intends to bottle distilled spirits or wines especially for export. An export storage room at a port of exportation may also be established by the proprietor of an internal revenue bonded warehouse contiguous to the bonded premises under the provisions of Regulations 10 (26 CFR, Part 185).

3. This Treasury decision shall be effective on the 31st day after the date of its publication in the FEDERAL REGISTER.

(46 Stat. 690, 693, 47 Stat. 153, 49 Stat. 1960, 52 Stat. 1030, 55 Stat. 602, 53 Stat. 377; 19 U. S. C. 1309, 1313 (d) (i), 26 U. S. C. 3179 (b))

[SEAL] GEO. J. SCHOENETIAN,
Commissioner.

Approved: June 18, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5323; Filed, June 23, 1948;
8:47 a. m.]

[T. D. 5629]

PART 100—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

RECORDS AND REPORTS

1. The purpose of this amendment is to incorporate in Regulations 24, Liquors and Articles From Puerto Rico and the Virgin Islands, approved June 16, 1941 (26 CFR, Part 180) those provisions of Treasury Decision 5323, approved January 5, 1944 (26 CFR, Part 171) which pertain to reports prepared and filed by persons bringing distilled spirits into the United States from Puerto Rico and the Virgin Islands.

2. It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) is unnecessary in connection with the issuance of these regulations for the reason that no change is

made in existing requirements of regulations.

3. Regulations 24, Liquors and Articles from Puerto Rico and the Virgin Islands, approved June 16, 1941 (26 CFR, Part 130) are hereby amended by adding two new §§ 180.92a and 180.144a, as follows:

SUBPART I—PRODUCTS COMING INTO THE UNITED STATES FROM PUERTO RICO

RECORDS AND REPORTS

§ 180.92a *Additional requirements.* (a) Every person bringing distilled spirits into the United States from Puerto Rico shall report, on Form 52-E, Part 2, and when Record 52 is kept, on Part 2 and on transcript, Form 52-B, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address," there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where a person bringing distilled spirits into the United States from Puerto Rico ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer, detailed records of the transactions shall be kept (1) on Form 52-E by the person bringing the distilled spirits into the United States from Puerto Rico, (2) on Record 52 by the wholesale liquor dealer giving the order, and (3) on Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that wholesale dealer (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B) entries will be made on the prescribed forms as follows:

(1) Wholesale dealer (A) will show in his Form 52-E the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C) the person to whom the distilled spirits are actually shipped or delivered;

(2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (A) giving both the name and address of (A) and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C) and

(3) Consignee (C) is a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from wholesale dealer (A) giving name and address of both. A copy of Form 52-E and transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(c) Where a person bringing distilled spirits into the United States from Puerto Rico keeps Record 52 and is a party to transactions similar to those described in paragraph (b) of this section, he shall make similar entries of such transactions in Record 52; and the transcripts on Forms 52-A and 52-B required to be filed with the district super-

visor, will likewise show the details of the transactions. (Secs. 2857, 2858, 3171, 3176, 3254, 3360, I. R. C.)

SUBPART II—PRODUCTS COMING INTO THE UNITED STATES FROM VIRGIN ISLANDS

RECORDS AND REPORTS

§ 180.144a *Additional requirements.* (a) Every person bringing distilled spirits into the United States from the Virgin Islands shall report, on Form 52-E, Part 2, and when Record 52 is kept, on Part 2 and on transcript, Form 52-B, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address," there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where a person bringing distilled spirits into the United States from the Virgin Islands ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer, detailed records of the transactions shall be kept (1) on Form 52-E by the person bringing the distilled spirits into the United States from the Virgin Islands, (2) on Record 52 by the wholesale liquor dealer giving the order, and (3) on Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that wholesale dealer (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B) entries will be made on the prescribed forms as follows:

(1) Wholesale dealer (A) will show in his Form 52-E the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C) the person to whom the distilled spirits are actually shipped or delivered;

(2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (A) giving both the name and address of (A) and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C) and

(3) Consignee (C) if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from wholesale dealer (A) giving name and address of both. A copy of Form 52-E and transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(c) Where a person bringing distilled spirits into the United States from the Virgin Islands keeps Record 52 and is a party to transactions similar to those described in paragraph (b) of this section, he shall make similar entries of such transactions in Record 52; and the transcripts on Forms 52-A and 52-B required to be filed with the district supervisor, will likewise show the details of the transactions. (Secs. 2857, 2858, 3171, 3254, 3350, 4041, I. R. C.)

4. The provisions of Treasury Decision 5323 relating to persons bringing distilled spirits into the United States from Puerto Rico and the Virgin Islands are revoked as of the effective date of this Treasury decision.

5. This Treasury decision shall be effective upon filing for publication in the FEDERAL REGISTER.

(53 Stat. 327, 1260, 328, 373, 375, 391, 404, 405, 495; 26 U. S. C. 2857, 2858, 3171, 3176, 3254, 3350, 3360, 4041)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner

Approved: June 18, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5521; Filed, June 29, 1948;
8:47 a. m.]

[T. D. 5621]

PART 182—INDUSTRIAL ALCOHOL

RECORDS AND REPORTS OF PROPRIETOR

1. The purpose of this amendment is to incorporate in Regulations 3, Industrial Alcohol, approved March 6, 1942 (26 CFR, Part 182) those provisions of Treasury Decision 5323, approved January 5, 1944 (26 CFR, Part 171) which pertain to reports prepared and filed by proprietors of industrial alcohol bonded warehouses who maintain tax-paid storerooms in connection with such warehouses.

2. It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) is unnecessary in connection with the issuance of these regulations for the reason that no change is made in existing requirements of regulations.

3. Regulations 3, Industrial Alcohol, approved March 6, 1942 (26 CFR, Part 182) are hereby amended by adding subparagraph (1) to § 182.648 (c), as follows:

**OPERATION OF INDUSTRIAL ALCOHOL
BONDED WAREHOUSES**

RECORDS AND REPORTS OF PROPRIETOR

§ 182.648 *Record at tax-paid premises, Record 52, Forms 52-A, 52-B, 52-E, and 338.* * * *

(c) *Reports*—(1) *Additional requirements.* (i) The proprietor of an industrial alcohol bonded warehouse who maintains a tax-paid storeroom in connection with such warehouse shall report, on Form 52-E, Part 2, and when Record 52 is kept, on Part 2 and on transcript, Form 52-B, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address" there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(ii) Where the proprietor of an industrial alcohol bonded warehouse ships or delivers alcohol to a consignee on the order of another wholesale liquor dealer, detailed records of the transactions shall be kept (1) on Form 52-E by the proprietor of the industrial alcohol bonded warehouse making the shipment or delivery, (2) on Record 52 by the wholesale liquor dealer giving the order, and (3) on Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that the proprietor of industrial alcohol bonded warehouse (A) ships or delivers the alcohol to consignee (C) on the order of wholesale dealer (B) entries will be made on the prescribed forms as follows:

(a) The proprietor of the industrial alcohol bonded warehouse (A) will show in his Form 52-E the name and address of wholesale dealer (B) who ordered the alcohol, as well as the name and address of consignee (C), the person to whom the alcohol is actually shipped or delivered;

(b) Wholesale dealer (B) will show in his Record 52 that the alcohol was purchased from warehouseman (A), giving both the name and address of (A) and will at the same time make an entry showing that the alcohol was shipped or delivered by (A) to consignee (C) giving the name and address of (C) and

(c) Consignee (C) if a wholesale liquor dealer, will show in his Record 52 that the alcohol was purchased from wholesale dealer (B) and received by him from the proprietor of industrial alcohol bonded warehouse (A) giving name and address of both. A copy of Form 52-E and transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(iii) Where the proprietor of an industrial alcohol bonded warehouse keeps Record 52, and is a party to transactions similar to those described in subdivision (ii) of this subparagraph, he shall make similar entries of such transactions in Record 52, and the transcripts on Forms 52-A and 52-B, required to be filed with the district supervisor, will likewise show the details of the transactions. (Secs. 3101, 3105, 3124 (a) (6) 3171, 3176, I. R. C.)

4. The provisions of Treasury Decision 5323 relating to proprietors of industrial alcohol bonded warehouses are revoked as of the effective date of this Treasury decision.

5. This Treasury decision shall be effective upon filing for publication in the FEDERAL REGISTER.

(53 Stat. 357, 358, 364, 373, 375; 26 U. S. C. 3101, 3105, 3124 (a) (6) 3171, 3176)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner.

Approved: June 18, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5813; Filed, June 29, 1948;
8:46 a. m.]

[T. D. 5623]

PART 183—PRODUCTION OF DISTILLED SPIRITS

DISTILLER'S RECORDS AND REPORTS

1. The purpose of this amendment is to incorporate in Regulations 4, Production of Distilled Spirits, approved February 28, 1940 (26 CFR, Part 183) those provisions of Treasury Decision 5323, approved January 5, 1944 (26 CFR, Part 171) which pertain to reports prepared and filed by proprietors of registered distilleries.

2. It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) is unnecessary in connection with the issuance of these regulations for the reason that no change is made in existing requirements of regulations.

3. Regulations 4, Production of Distilled Spirits, approved February 28, 1940 (26 CFR, Part 183) are hereby amended by adding a new § 183.406a, as follows:

DISTILLER'S RECORDS AND REPORTS

§ 183.406a *Additional requirements.* (a) The proprietor of a registered distillery shall report, on Form 1598, Part 2, when Record 52 is kept, on Part 2 and on transcript, Form 52-B, and when Form 52-E is kept, on Part 2, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address," there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where the proprietor of a registered distillery ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer, detailed records of the transactions shall be kept (1) on Form 1598, Part 2 by the proprietor of the registered distillery making the shipment or delivery, (2) on Record 52 by the wholesale liquor dealer giving the order, and (3) on Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that the proprietor of registered distillery (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B), entries will be made on the prescribed forms as follows:

(1) The proprietor of the registered distillery (A) will show in his Form 1598, Part 2, the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C), the person to whom the distilled spirits are actually shipped or delivered;

(2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from distiller (A) giving both the name and address of (A), and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C), and

(3) Consignee (C), if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from the proprietor of registered distillery (A), giving name and address of both. A copy of Form 1598 and transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(c) Where the proprietor of a registered distillery keeps Record 52, or Form 52-E, and is a party to transactions similar to those described in paragraph (b) of this section, he shall make similar entries of such transactions in Record 52, or Form 52-E, as the case may be; and the transcripts on Forms 52-A and 52-B, or 52-E, respectively, required to be filed with the district supervisor, will likewise show the details of the transactions. (Secs. 2859, 3171, 3176, I. R. C.)

4. The provisions of Treasury Decision 5323 relating to proprietors of registered distilleries are revoked as of the effective date of this Treasury decision.

5. This Treasury decision shall be effective upon filing for publication in the FEDERAL REGISTER.

(53 Stat. 328, 373, 375; 26 U. S. C. 2859, 3171, 3176)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner.

Approved: June 18, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5314; Filed, June 29, 1948;
8:46 a. m.]

[T. D. 5623]

PART 184—PRODUCTION OF BRANDY

DISTILLER'S RECORDS AND REPORTS

1. The purpose of this amendment is to incorporate in Regulations 5, Production of Brandy, approved February 28, 1940 (26 CFR, Part 184) those provisions of Treasury Decision 5323, approved January 5, 1944 (26 CFR, Part 171) which pertain to reports prepared and filed by proprietors of fruit distilleries.

2. It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) is unnecessary in connection with the issuance of these regulations for the reason that no change is made in existing requirements of regulations.

3. Regulations 5, Production of Brandy, approved February 28, 1940 (26 CFR, Part 184) are hereby amended by adding a new § 184.425a, as follows:

DISTILLER'S RECORDS AND REPORTS

§ 184.425a *Additional requirements.* (a) The proprietor of a fruit distillery shall report, on Form 15, Part 2, when Record 52 is kept, on Part 2 and on transcript, Form 52-B, and when Form 52-E is kept, on Part 2, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address," there will be re-

[T. D. 5630]

PART 185—WAREHOUSING OF DISTILLED SPIRITS

OFF-PREMISES EXPORT STORAGE ROOMS

ported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where the proprietor of a fruit distillery ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer, detailed records of the transactions shall be kept (1) on Form 15, Part 2 by the proprietor of the fruit distillery making the shipment or delivery, (2) on Record 52 by the wholesale liquor dealer giving the order, and (3) on Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that the proprietor of fruit distillery (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B) entries will be made on the prescribed forms as follows:

(1) The proprietor of the fruit distillery (A) will show in his Form 15, Part 2, the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C) the person to whom the distilled spirits are actually shipped or delivered;

(2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from distiller (A) giving both the name and address of (A) and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C) and

(3) Consignee (C) if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from the proprietor of fruit distillery (A) giving name and address of both. A copy of Form 15 and transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(c) Where the proprietor of a fruit distillery keeps Record 52, or Form 52-E, and is a party to transactions similar to those described in paragraph (b) of this section, he shall make similar entries of such transactions in Record 52, or Form 52-E, as the case may be; and the transcripts on Forms 52-A and 52-B, or 52-E, respectively, required to be filed with the district supervisor, will likewise show the details of the transactions. (Secs. 2857, 3176, I. R. C.)

4. The provisions of Treasury Decision 5323 relating to proprietors of fruit distilleries are revoked as of the effective date of this Treasury decision.

5. This Treasury decision shall be effective upon filing for publication in the FEDERAL REGISTER.

(53 Stat. 327, 1260, 375; 26 U. S. C. 2857, 3176)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner

Approved: June 18, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5815; Filed, June 29, 1948;
8:46 a. m.]

1. On April 9, 1948, notice of proposed rule-making regarding the establishment of off-premises rooms for the storage of tax-paid distilled spirits or wines bottled or packaged especially for export was published in the FEDERAL REGISTER (13 F. R. 1933)

2. No objections to the rules having been received, the following added §§ 185.22a and 185.479a and the amendment of § 185.42 of Regulations 10, approved May 20, 1940 (26 CFR, Part 185) are hereby adopted.

§ 185.22a *Off-premises export storage room.* If the proprietor of an internal revenue bonded warehouse located at a port of exportation intends to store, pending release for direct exportation or use as supplies on vessels or aircraft, tax-paid distilled spirits or wines bottled or packaged especially for export with benefit of drawback under the provisions of Regulations 11 (26 CFR, Part 189) Regulations 15 (26 CFR, Part 190) and Regulations 28 (26 CFR, Part 176) a separate room for the storage of such products exclusively must be provided off the bonded premises. The room must be contiguous to the bonded premises and be constructed of substantial, solid materials. All windows, doors or other openings must be so constructed that they may be securely locked or fastened from the inside, except the entrance door which must be so constructed that it may be securely locked from the outside of the room with a Government seal lock. A sign must be placed over the entrance door of the room bearing the words "Off-premises Export Storage Room." The deposit of distilled spirits and wines in such room, and the withdrawal thereof, shall be effected in accordance with provisions of Regulations 28 (26 CFR, Part 176) (Sec. 3179 (b) I. R. C.)

§ 185.42 *Amended and supplemental applications.* Amended and supplemental applications on Form 27-D may be executed in skeleton form, except as to the items amended or supplemented. All other items which are correctly set forth in prior applications, and in which there has been no change since the last preceding application, may be incorporated in the amended or supplemental application by reference to the respective application previously filed. Such incorporation by reference shall be made by entering for each such item in the space provided therefor the statement "No change since filing Form 27-D, Serial No. _____" (the number being inserted) followed by the date of the form. Every proprietor of an internal revenue bonded warehouse located at a port of exportation and desiring to establish an off-premises export storage room, as authorized by § 185.22a, shall file a supplemental application therefor on Form 27-D, giving the location and description of the room. (Sec. 3179 (b) I. R. C.)

§ 185.479a *Record and report of transactions at off-premises export storage room.* Every proprietor of an inter-

nal revenue bonded warehouse who maintains an off-premises export storage room at which tax-paid distilled spirits and wines bottled or packaged especially for export are held pending exportation or use as supplies on vessels or aircraft shall keep a record of all such products received and disposed of. The transactions shall be recorded on the date on which they occur and a summary made at the end of the month. A transcript of the record shall be prepared and forwarded to the district supervisor on or before the tenth day of the succeeding month. Form 52-E (Monthly Record and Report of Importer or Proprietor of Tax-Paid Premises) shall be used, upon modification of the title of the form and headings of the columns to serve the purpose, in preparing such record and report. (Sec. 3179 (b), I. R. C.)

3. This Treasury decision shall be effective on the 31st day after the date of its publication in the FEDERAL REGISTER.

(53 Stat. 377; 26 U. S. C. 3179 (b))

[SEAL] GEO. J. SCHOENEMAN,
Commissioner

Approved: June 18, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5822; Filed, June 29, 1948;
8:47 a. m.]

[T. D. 5624]

PART 185—WAREHOUSING OF DISTILLED SPIRITS

RECORDS AND REPORTS OF PROPRIETOR

1. The purpose of this amendment is to incorporate in Regulations 10, "Warehousing of Distilled Spirits," approved May 20, 1940 (26 CFR, Part 185) those provisions of Treasury Decision 5323, approved January 5, 1944 (26 CFR, Part 171) which pertain to reports prepared and filed by proprietors of internal revenue bonded warehouses.

2. It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) is unnecessary in connection with the issuance of these regulations for the reason that no change is made in existing requirements of regulations.

3. Regulations 10, "Warehousing of Distilled Spirits," approved May 20, 1940 (26 CFR, Part 185) are hereby amended by adding a new section, § 185.478a, as follows:

RECORDS AND REPORTS OF PROPRIETOR
REMOVALS FROM INTERNAL REVENUE BONDED WAREHOUSE

§ 185.478a *Additional requirements.* (a) The proprietor of an internal revenue bonded warehouse shall report, on Form 52-C, when Record 52 is kept, on Part 2 and on transcript, Form 52-B, and when Form 52-E is kept, on Part 2, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address," there will be reported the name and ad-

dress of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where the proprietor of an internal revenue bonded warehouse ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer, detailed records of the transactions shall be kept (1) on Form 52-C by the proprietor of the internal revenue bonded warehouse making the shipment or delivery, (2) on Record 52 by the wholesale liquor dealer giving the order, and (3) on Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that the proprietor of internal revenue bonded warehouse (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B) entries will be made on the prescribed forms as follows:

(1) The proprietor of the internal revenue bonded warehouse (A) will show in his Form 52-C the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C) the person to whom the distilled spirits are actually shipped or delivered;

(2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from warehouseman (A) giving both the name and address of (A) and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C), and

(3) Consignee (C) if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from the proprietor of internal revenue bonded warehouse (A) giving name and address of both. A copy of Form 52-C and transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(c) Where the proprietor of an internal revenue bonded warehouse keeps Record 52, or Form 52-E, and is a party to transactions similar to those described in paragraph (b) of this section, he shall make similar entries of such transactions in Record 52, or Form 52-E, as the case may be; and the transcripts on Forms 52-A and 52-B, or Form 52-E, respectively, required to be filed with the district supervisor, will likewise show the details of the transactions. (Secs. 2857, 2859, 3176, I. R. C.)

4. The provisions of Treasury Decision 5323 relating to proprietors of internal revenue bonded warehouses are revoked as of the effective date of this Treasury decision.

5. This Treasury decision shall be effective upon filing for publication in the FEDERAL REGISTER.

(53 Stat. 327, 1260, 328, 375; 26 U. S. C. 2857, 2859, 3176)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner.

Approved: June 18, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5816; Filed, June 23, 1948;
8:46 a. m.]

[T. D. 5625]

PART 189—BOTTLING OF TAX-PAID DISTILLED SPIRITS

PROPRIETOR'S RECORDS AND REPORTS

1. The purpose of this amendment is to incorporate in Regulations 11, "Bottling of Tax-Paid Distilled Spirits," approved May 20, 1940 (26 CFR, Part 189) those provisions of Treasury Decision 5323, approved January 5, 1944 (26 CFR, Part 171) which pertain to reports prepared and filed by proprietors of tax-paid bottling houses.

2. It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) is unnecessary in connection with the issuance of these regulations for the reason that no change is made in existing requirements of regulations.

3. Regulations 11, "Bottling of Tax-Paid Distilled Spirits," approved May 20, 1940 (26 CFR, Part 189), are hereby amended by adding a new section, § 189.135a, as follows:

PROPRIETOR'S RECORDS AND REPORTS

§ 189.135a Additional requirements.

(a) The proprietor of the tax-paid bottling house shall report, on Form 52-D, Part 3, and when Record 52 is kept, on Part 2 and on transcript, Form 52-B, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address" there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where the proprietor of a tax-paid bottling house ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer, records of the transactions shall be kept (1) on Form 52-D by the proprietor of the tax-paid bottling house making the shipment or delivery, (2) on Record 52 by the wholesale liquor dealer giving the order, and (3) on Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that the proprietor of tax-paid bottling house (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B) entries will be made on the prescribed forms as follows:

(1) The proprietor of the tax-paid bottling house (A) will show in his Form

52-D the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C), the person to whom the distilled spirits are actually shipped or delivered;

(2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (A) giving both the name and address of (A), and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C), and

(3) Consignee (C) if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from the proprietor of tax-paid bottling house (A), giving name and address of both. A copy of Form 52-D and transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(c) Where the proprietor of a tax-paid bottling house keeps Record 52 and is a party to transactions similar to those described in paragraph (b) of this section, he shall make similar entries of such transactions in Record 52; and the transcripts on Forms 52-A and 52-B required to be filed with the district supervisor, will likewise show the details of the transactions. (Secs. 2803, 2857, 2871, 3176, I. R. C.)

4. The provisions of Treasury Decision 5323 relating to proprietors of tax-paid bottling houses are revoked as of the effective date of this Treasury decision.

5. This Treasury decision shall be effective upon filing for publication in the FEDERAL REGISTER.

(53 Stat. 303, 327, 1260, 331, 375; 54 Stat. 512; 26 U. S. C. 2803, 2857, 2871, 3176)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner.

Approved: June 18, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5817; Filed, June 23, 1948;
8:46 a. m.]

[T. D. 5626]

PART 190—RECTIFICATION OF SPIRITS AND WINES

RECTIFIER'S RECORDS AND REPORTS

1. The purpose of this amendment is to incorporate in Regulations 15, "Rectification of Spirits and Wines," approved May 20, 1940 (26 CFR, Part 190) those provisions of Treasury Decision 5323, approved January 5, 1944 (26 CFR, Part 171) which pertain to reports prepared and filed by proprietors of rectifying plants.

2. It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) is unnecessary in connection with the issuance of these regu-

lations for the reason that no change is made in existing requirements of regulations.

3. Regulations 15, "Rectification of Spirits and Wines," approved May 20, 1940 (26 CFR, Part 190) are hereby amended by adding a new section, § 190.434a, as follows:

RECTIFIER'S RECORDS AND REPORTS

§ 190.434a *Additional requirements.*

(a) The proprietor of the rectifying plant shall report, on Form 45, Part 5, and when Record 52 is kept, on Part 2 and on transcript, Form 52-B, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address" there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where the proprietor of a rectifying plant ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer, detailed records of the transactions shall be kept (1) on Form 45 by the proprietor of the rectifying plant making the shipment or delivery, (2) on Record 52 by the wholesale liquor dealer giving the order, and (3) on Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that the proprietor of rectifying plant (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B) entries will be made on the prescribed forms as follows:

(1) The proprietor of the rectifying plant (A) will show in his Form 45 the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C) the person to whom the distilled spirits are actually shipped or delivered;

(2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from rectifier (A) giving both the name and address of (A) and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C) and

(3) Consignee (C) if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from the proprietor of rectifying plant (A) giving name and address of both. A copy of Form 45 and transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(c) Where the proprietor of a rectifying plant keeps Record 52 and is a party to transactions similar to those described in paragraph (b) of this section, he shall make similar entries of such transactions in Record 52; and the transcripts on Forms 52-A and 52-B required to be filed with the district supervisor,

will likewise show the details of the transactions. (Secs. 2801 (e) (1), 2855, 2859, 3176, I. R. C.)

4. The provisions of Treasury Decision 5323 relating to proprietors of rectifying plants are revoked as of the effective date of this Treasury decision.

5. This Treasury decision shall be effective upon filing for publication in the FEDERAL REGISTER.

(53 Stat. 300, 327, 1260, 375; 26 U. S. C. 2801 (e) (1) 2855, 2859, 3176)

[SEAL]

GEO. J. SCHOENEMAN,
Commissioner

Approved: June 18, 1948.

A. L. M. WIGGINS,

Acting Secretary of the Treasury.

[F. R. Doc. 48-5818; Filed, June 29, 1948; 8:47 a. m.]

[T. D. 5628]

PART 191—IMPORTATION OF DISTILLED SPIRITS AND WINES

IMPORTER'S RECORDS AND REPORTS

1. The purpose of this amendment is to incorporate in Regulations 21, "Importation of Distilled Spirits and Wines," approved October 16, 1940 (26 CFR, Part 191) those provisions of Treasury Decision 5323, approved January 5, 1944 (26 CFR, Part 171) which pertain to reports prepared and filed by importers.

2. It is found that compliance with the notice, public-rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) is unnecessary in connection with the issuance of these regulations for the reason that no change is made in existing requirements of regulations.

3. Regulations 21, "Importation of Distilled Spirits and Wines," approved October 16, 1940 (26 CFR, Part 191) are hereby amended by adding a new section, § 191.61a, as follows:

IMPORTER'S RECORDS AND REPORTS

RECORD AND REPORT OF IMPORTED DISTILLED SPIRITS

§ 191.61a *Additional requirements.*

(a) The importer shall report, on Form 52-E, Part 2, and when Record 52 is kept, on Part 2 and on transcript, Form 52-B, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address," there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where the importer ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer, detailed records of the transactions shall be kept (1) on Form 52-E by the importer making the shipment or delivery, (2) on Record 52 by the wholesale liquor dealer giving the order, and (3) on

Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that importer (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B), entries will be made on the prescribed forms as follows:

(1) Importer (A) will show in his Form 52-E the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C) the person to whom the distilled spirits are actually shipped or delivered;

(2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from importer (A), giving both the name and address of (A), and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C), and

(3) Consignee (C), if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from importer (A), giving name and address of both. A copy of Form 52-E and transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(c) Where the importer keeps Record 52 and is a party to transactions similar to those described in paragraph (b) of this section, he shall make similar entries of such transactions in Record 52; and the transcripts on Forms 52-A and 52-B required to be filed with the district supervisor, will likewise show the details of the transactions. (Secs. 2857, 2858, 3171, 3176, 3254, I. R. C.)

4. The provisions of Treasury Decision 5323 relating to importers are revoked as of the effective date of this Treasury decision.

5. This Treasury decision shall be effective upon filing for publication in the FEDERAL REGISTER.

(53 Stat. 327, 1260, 328, 373, 375, 391, 26 U. S. C. 2857, 2858, 3171, 3176, 3254)

[SEAL]

GEO. J. SCHOENEMAN,
Commissioner

Approved: June 18, 1948.

A. L. M. WIGGINS,

Acting Secretary of the Treasury.

[F. R. Doc. 48-5820; Filed, June 29, 1948; 8:47 a. m.]

[T. D. 5627]

PART 194—WHOLESALE AND RETAIL DEALERS IN LIQUORS

MAINTENANCE OF RECORDS AND POSTING OF SIGNS

1. The purpose of this amendment is to incorporate in Regulations 20, "Wholesale and Retail Dealers in Liquors," approved June 6, 1940 (26 CFR, Part 194), those provisions of Treasury Decision 5323, approved January 5, 1944 (26 CFR, Part 171) which pertain to reports prepared and filed by wholesale liquor dealers.

2. It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) is unnecessary in connection with the issuance of these regulations for the reason that no change is made in existing requirements of regulations.

3. Regulations 20, "Wholesale and Retail Dealers in Liquors," approved June 6, 1940 (26 CFR, Part 194) are hereby amended by adding a new section, § 194.80a, as follows:

MAINTENANCE OF RECORDS AND POSTING OF SIGNS

§ 194.80a *Additional requirements.* (a) The wholesale liquor dealer shall report on Record 52, Part 2 and on transcript, Form 52-B, the name and address of each consignee, in the column now designated "Name." In the column now designated "Address" there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where a wholesale liquor dealer ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer detailed records of the transactions shall be kept on Record 52 by (1) the wholesale liquor dealer making the shipment or delivery, (2) the wholesale liquor dealer giving the order, and (3) the consignee if he is a wholesale liquor dealer. For example, assuming that wholesale dealer (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B) entries will be made in Record 52 by the parties involved as follows:

(1) Wholesale dealer (A) will show in his Record 52 the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C) the person to whom the distilled spirits are actually shipped or delivered;

(2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (A) giving both the name and address of (A) and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C) and

(3) Consignee (C) if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from wholesale dealer (A) giving name and address of both. Transcripts of Record 52 on Forms 52-A and 52-B, required to be filed with the District Supervisor, will similarly show the details of such transactions. (Secs. 2857, 3171, 3176, I. R. C.)

4. The provisions of Treasury Decision 5323 relating to wholesale liquor dealers are revoked as of the effective date of this Treasury decision.

5. This Treasury decision shall be effective upon filing for publication in the FEDERAL REGISTER.

(53 Stat. 327, 1260, 373, 375; 26 U. S. C. 2857, 3171, 3176)

[SEAL]

GEO. J. SCHOENELIAN,
Commissioner.

Approved: June 18, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5819; Filed, June 29, 1948;
8:47 a. m.]

TITLE 29—LABOR

Chapter IV—Child Labor Branch, Department of Labor

[Regulation 29]

PART 402—ACCEPTANCE OF STATE CERTIFICATES

DESIGNATION OF STATES

§ 402.1 *Designation of States.* Pursuant to the provisions of § 401.5,¹ I hereby designate the following States as States in which State age, employment, or working certificates or permits shall have the same force and effect as Federal certificates of age under the Fair Labor Standards Act of 1938, c. 676, 52 Stat. 1060, 29 U. S. C., Sec. 201.

Alabama.	Montana.
Arizona.	Nebraska.
Arkansas.	Nevada.
California.	New Hampshire.
Colorado.	New Jersey.
Connecticut.	New Mexico.
Delaware.	New York.
District of Columbia.	North Carolina.
Florida.	North Dakota.
Georgia.	Ohio.
Hawaii.	Oklahoma.
Illinois.	Oregon.
Indiana.	Pennsylvania.
Iowa.	Puerto Rico.
Kansas.	Rhode Island.
Kentucky.	South Dakota.
Louisiana.	Tennessee.
Maine.	Utah.
Maryland.	Vermont.
Massachusetts.	Virginia.
Minnesota.	West Virginia.
Michigan.	Wisconsin.
Missouri.	Wyoming.

(Sec. 12, 52 Stat. 1067; 29 U. S. C. 212; Reorg. Plan No. 2 of 1946, 11 F. R. 7873)

This designation shall be effective from July 1, 1948 until June 30, 1949, unless this regulation is amended or repealed by regulation hereafter made and published by the Secretary of Labor.

Dated: June 28, 1948.

JOHN T. KMETZ,
Acting Secretary of Labor.

[F. R. Doc. 48-5869; Filed, June 29, 1948;
8:49 a. m.]

¹ Refers to section 5, Child Labor Regulations No. 1, "Certificates of Age," issued October 14, 1938, pursuant to the authority conferred by sections 3 (1) and 11 (b) of the Fair Labor Standards Act of 1938 (29 CFR, Chapter IV, Part 401).

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 21—COMMISSIONED OFFICERS

SUBPART R—RESTRICTED GRADE RETIREMENTS

This part is amended by adding thereto the following subpart:

SUBPART R—RESTRICTED GRADE RETIREMENTS

- Sec.
- 21.371 Voluntary retirement; restricted grades.
 - 21.372 Restricted grade retirement boards; appointment of.
 - 21.373 Referral of records to retirement boards.
 - 21.374 Powers and duties of retirement boards.
 - 21.375 Subsequent review of records.
 - 21.376 Prescription of numbers for retirement.
 - 21.377 Action by the Surgeon General and the Administrator.
 - 21.378 Effective date.

AUTHORITY: §§ 21.371 to 21.378, inclusive, issued under sec. 7 (d), Pub. Law 425, 65th Cong., 62 Stat. 49.

§ 21.371 *Voluntary retirement; restricted grades.* An officer of the Regular Corps shall, upon his application and subject to the approval of the Surgeon General, be retired pursuant to section 211 (g) of the act on or after such date as he becomes eligible for retirement pursuant to said section, *Provided*, That he has not been found qualified for a permanent promotion prior to the date upon which the Surgeon General approves his application for retirement.

§ 21.372 *Restricted grade retirement boards; appointment of.* The Surgeon General shall from time to time appoint restricted grade retirement boards which shall consist of five or more officers, the majority of whom shall, insofar as practicable, be of the same professional category as the officer being considered for retirement.

§ 21.373 *Referral of records to retirement boards.* If an officer does not request in writing within one month subsequent to the date on which he becomes eligible for retirement pursuant to section 211 (g) of the act that he be retired within seven months after such date, or if he so requests but such request is disapproved by the Surgeon General, the Surgeon General shall immediately after the expiration of such month refer his record, including the record of his physical condition, to an appropriate retirement board which shall review such record to determine his qualifications for continued active service.

§ 21.374 *Powers and duties of retirement boards.* The retirement board shall consider the record referred to it by the Surgeon General, and in addition may require for its consideration an oral or written statement from any officer, including the officer concerned, which it believes to be pertinent to an evaluation of the qualifications of such officer for continued active service. The recom-

RULES AND REGULATIONS

mendation of the majority of the members of a board shall be considered as the recommendation of the board.

§ 21.375 *Subsequent review of records.* If an officer of the Regular Corps is not retired as a result of a review of his record, if he is not subsequently retired for any other reason, and if he is still eligible for retirement pursuant to section 211 (g) of the act, the Surgeon General may again refer his record to a retirement board for review at any time, and shall refer his record to a retirement board for review within three months after a date which is two years subsequent to the date on which the record of such officer was last reviewed by a retirement board. Each review of his record shall be conducted as prescribed in § 21.374.

§ 21.376 *Prescription of numbers for retirement.* The Surgeon General may from time to time refer to appropriate retirement boards the records of all officers of the Regular Corps in the senior assistant or full grade of a professional category who are eligible for retirement pursuant to section 211 (g) of the act and may prescribe that, out of the number of such officers, a specific number of them shall be recommended for retirement.

§ 21.377 *Action by the Surgeon General and the Administrator.* If a retirement board finds that an officer who is eligible for retirement pursuant to section 211 (g) of the act should be retired and if such finding is approved by the Surgeon General and the Administrator, the officer concerned shall be retired and his retirement shall be effectuated as prescribed in § 21.378.

§ 21.378 *Effective date.* The retirement of an officer shall be effective on the first day of the month following the expiration of his accumulated leave of absence. The number of days of such absence to be given to an officer prior to his retirement shall be the number of days of such leave accumulated as of the date of the approval by the Administra-

tor of a finding that the officer should be retired. An officer shall be placed on leave of absence prior to retirement on such day as will cause his leave to expire on the last day of a month.

[SEAL] LEONARD A. SCHEELE,
Surgeon General.

Approved: June 24, 1948.

J. DONALD KINGSLEY,
Acting Federal Security
Administrator

[F. R. Doc. 48-5812; Filed, June 29, 1948;
8:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 815]

PART 95—CAR SERVICE

FREE TIME REDUCED ON COAL-COKE AT GREAT LAKES PORTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of June A. D. 1948.

It appearing, that there is a shortage of cars for the transportation of coal and coke and that free time published in tariffs for unloading such cars at Great Lakes ports aggravates the shortage thereof; in the opinion of the Commission an emergency exists requiring immediate action at such ports to alleviate the coal-car shortage:

It is ordered, That no common carrier by railroad, subject to the Interstate Commerce Act, shall:

§ 95.815 *Time reduced at Lake Ports.* (a) Exclude Sundays and holidays when computing time in accordance with Item No. 155, Rule 3 on exceptions thereto in Items Nos. 60, 75, 90 and 92 only, of the tariff named in this section, on any car or cars loaded with coal or coke held for dumping into vessels at Great

Lakes Ports listed in B. T. Jones, Agent, tariff I. C. C. No. 4137, supplements thereto or reissues thereof.

(b) *Effective date.* This section shall become effective at 7:00 a. m., July 1, 1948, and will apply on cars held at or short of ports on and after the effective date hereof.

(c) *Expiration date.* This section shall expire at 7:00 a. m., December 31, 1948, unless otherwise modified, changed, suspended or annulled by order of this Commission.

(d) *Tariff provisions suspended.* The operation of all tariff rules and regulations, insofar as they conflict with the provisions of this section, is hereby suspended.

(e) *Announcement of suspension.* Each railroad, or its agent, shall publish, file, and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter, announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions set forth in this section.

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-5824; Filed, June 29, 1948;
8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P & S. Docket No. 5]

PEORIA UNION STOCK YARDS CO., PEORIA,
ILL.

PETITION FOR MODIFICATION

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended, 7 U. S. C. 181 et seq., an order was entered in this preceeding on May 5, 1948. By this order the respondent was authorized to continue to assess the

temporary rates and charges, then in effect, during the period beginning June 1, 1948, and ending May 1, 1949.

On June 9, 1948, the respondent filed a petition requesting modification of the current order so as to permit the respondent to assess the charges set out below under the heading "Proposed Rates." The present rates and the proposed rates are as follows:

Section 1—Item 1. Yardage charges including use of facilities, handling, weighing and privilege of the market, will be collected on all livestock (or deadstock) sold through these yards or resold by regular selling agencies at the following rate in cents per head:

	Present rates		Proposed rates	
	Re- ceiv- ed by rail- road	Re- ceiv- ed other than by rail- road	Re- ceiv- ed by rail- road	Re- ceiv- ed other than by rail- road
Cattle.....	60	60	60	60
Calves (300 pounds and under).....	25	25	30	30
Hogs.....	17	17	20	20
Sheep and goats.....	12	12	12	12

Section 1—Item 2: Charges will be collected on all livestock resold on the mar-

ket (except as specified in Items 1 and 3 of this section) at the following rate in cents per head:

	Present rates	Proposed rates
Cattle.....	25	30
Calves.....	13	15
Hogs.....	9	10
Sheep.....	6	6

Section 1—Item 3: (No change)

Section 1—Item 4: Charges will be collected on all livestock consigned to local packers and others at the following rate in cents per head:

	Present rates	Proposed rates
Cattle.....	25	30
Calves.....	13	15
Hogs.....	9	10
Sheep.....	6	6

Respondent also has requested authority to eliminate from its tariff the horse and mule yardage rate and to add the following note to section 1, Item 4:

NOTE: If weighed, full yardage as shown in Item 1 will apply.

Notice of the filing of the petition is hereby given to the public.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 23d day of June 1948.

[SEAL] PRESTON RICHARDS,
Acting Director, Livestock Branch,
Production and Marketing Administration.

[F. R. Doc. 48-5811; Filed, June 29, 1948;
8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR, Part 2301]

INFORMATION UNKNOWN OR NOT REASONABLY AVAILABLE; FILING OF PROSPECTUSES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration the following proposals for the amendment of the general rules and regulations under the Securities Act of 1933.

1. Under § 230.409 (Rule 409) where the registrant omits from the registration statement or prospectus any required information which is unknown or not reasonably available, the registrant is required to give such information on the subject as it possesses or can acquire without unreasonable effort or expense together with the sources thereof. In such case, the registrant is permitted to include a disclaimer of responsibility for the accuracy or completeness of the information given. It is proposed to amend paragraph (a) of this section

to delete the provision with respect to the disclaimer of responsibility in order that investors may be protected against inaccurate or incomplete information. Paragraph (a) as so amended would read as follows:

§ 230.409 *Information unknown or not reasonably available.* * * *

(a) The registrant shall give such information on the subject as it possesses or can acquire without unreasonable effort or expense, together with the sources thereof.

2. At the present time copies of preliminary prospectuses (the so-called "red herring" prospectuses) distributed, pursuant to § 230.131 (Rule 131) prior to the effective date of the registration statement are not required to be filed with the Commission in the exact form in which they are so used. In order that the Commission may, in the future, have copies of such preliminary prospectuses for its use and for inspection by the public, it is proposed to amend § 230.424 (Rule 424) by redesignating paragraphs (b) (c) and (d) of the rule as paragraphs (c) (d) and (e) and inserting a new paragraph (b) to read as follows:

§ 230.424 *Filing of prospectuses; number of copies.* * * *

(b) Five copies of every proposed form of prospectus sent or given to any person pursuant to Rule 131 shall be filed with, or mailed for filing to, the Commission not later than the date such form of prospectus is first sent or given to any person pursuant to that rule.

All interested persons are invited to submit data, views and comments on the above mentioned proposals in writing to the Securities and Exchange Commission at its principal office 425 Second Street NW., Washington 25, D. C., on or before July 23, 1948.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

JUNE 24, 1948.

[F. R. Doc. 48-5810; Filed, June 29, 1948;
8:45 a. m.]

[17 CFR, Part 2391]

FORM S-1 FOR REGISTRATION UNDER SECURITIES ACT OF 1933

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration the following proposals for the amendment of Form S-1 (§ 239.11) pursuant to the Securities Act of 1933, particularly sections 6, 7, 8, 10 and 19 (a) thereof:

I. Item 25 of Form S-1, as presently in effect, calls for the total remuneration of directors and officers, as a group. It is proposed to amend this item to make it clear that pension and retirement payments for the benefit of directors and officers are within the purview of the item and are to be set forth thereunder. Paragraph (a) of Item 26, which calls for the individual remuneration of certain directors and officers, is to be transferred

to the amended Item 25 as paragraph (b) thereof. The new paragraph (b) will be restricted so as to call for information as to individual remuneration only with respect to directors who received more than \$20,000 during the last fiscal year and the three highest-paid officers who received more than that amount. Instruction 3 to the present Item 25, which calls for information as to remuneration in the form of options, warrants or rights, will be made an integral part of the item itself. The proposed text of the amended item is as follows:

Item 25: *Remuneration of directors and officers.* (a) Give the following information in tabular form as to the remuneration for the last fiscal year of the registrant paid or set aside, directly or indirectly, by the registrant and its subsidiaries to or for the benefit of all persons, as a group, who were directors or officers of the registrant at any time during such fiscal year:

(1) Fees and salaries paid to such persons for services in all capacities.

(2) Bonuses and shares in profits distributed to or set aside for the benefit of such persons.

(3) Amounts paid to or set aside for the benefit of such persons pursuant to pension or retirement plans.

(b) Give the following information in tabular form as to the remuneration for the last fiscal year of the registrant paid or set aside, directly or indirectly, by the registrant and its subsidiaries to or for the benefit of each of the following persons (naming each such person) whose aggregate remuneration from the registrant and its subsidiaries, exclusive of amounts paid or set aside pursuant to any pension or retirement plan, exceeded \$20,000: (i) each person who was a director of the registrant at any time during such fiscal year and (ii) each person who was one of the three highest-paid officers of the registrant during such fiscal year:

(1) Fees and salaries paid to such person for services in all capacities, indicating such capacities.

(2) Bonuses and shares in profits distributed to or set aside for the benefit of such person.

(3) Amounts paid to or set aside for the benefit of such person pursuant to any pension or retirement plan.

(4) Annual benefits estimated to be payable to such person in the event of retirement at normal retirement date.

(c) Describe all transactions since the beginning of the last fiscal year of the registrant in which any person who was a director or officer of the registrant at any time during such period received remuneration, directly or indirectly, from the registrant or its subsidiaries in the form of securities, options, warrants, rights or other property, or through the exercise or disposition thereof. As to options, warrants or rights granted or extended, give (1) the title and amount of securities called for; (2) the prices, expiration dates and other material provisions; (3) the consideration received for the granting thereof; and (4) the market value of the securities called for on the granting or extension date. As to options, warrants or rights exercised, state (1) the title and amount of securities purchased; (2) the purchase price; and (3) the market value of the securities purchased on the date of purchase.

Instructions: Items 25 (a) and (b). 1. These are to be answered on an accrual basis, if practicable. If not so answered, state the basis used.

2. If the registrant has not completed a full fiscal year since its organization or if it acquired the majority of its assets from a predecessor within the current fiscal year, the information shall be given for the current fiscal year, estimating future payments

PROPOSED RULE MAKING

if necessary. To the extent remuneration is computed upon the basis of a percentage of profits, it will suffice to state such percentage without estimating the amount of such profits to be paid.

Item 25 (b). 1. The registrant may state, with respect to any person specified, the total remuneration paid to a partnership in which such person was a partner in lieu of an allocation of such person's share in the total remuneration so paid, if by note or otherwise, it is indicated that such has been done.

2. If it is presently contemplated that the aggregate remuneration of any director or officer for the current fiscal year will exceed by more than ten percent the amount of his remuneration for the last fiscal year, state also the estimated remuneration of such person for the current fiscal year. To the extent that such remuneration is computed upon the basis of a percentage of profits, it will suffice to state such percentage without estimating the amount of such profits to be paid.

3. Except as to persons whose retirement benefits have already vested, the information called for by subparagraph (4) may be given in a table showing the annual benefits payable to persons in specified salary classifications.

Item 25 (c). This time does not apply to warrants or rights issued to security holders, as such, on a pro rata basis.

II. As stated above, paragraph (a) of Item 26, as now in effect, is proposed to be transferred to Item 25. It is proposed to restate Item 26 to read as follows:

Item 26: Remuneration of certain other persons. State in tabular form the name of each of the following persons whose aggregate remuneration from the registrant and its subsidiaries for the last full fiscal year of the registrant exceeded \$20,000, the amount of such remuneration, and the capacities in which it was received.

(a) Each affiliate of the registrant (other than its majority-owned subsidiaries);

(b) Each voting trustee named in answer to Item 29;

(c) Each security holder named in answer to Item 30 (a); and

(d) Each person (other than the registrant or its majority-owned subsidiaries) with whom any person named in answer to Item 25 (b), 29 or 30 (a) had a material relationship.

Instructions. 1. The instructions to Items 25 (a) and (b) and Instruction 1 to Item 25 (b) shall also apply to this item.

2. Include as to each person named a statement as to the nature of the relationship by reason of which the remuneration of such person is required to be given.

III. Item 27 calls for information as to bonus and profit sharing arrangements and is intended to get information also as to pension and retirement plans. It is proposed to amend this item to make it clear that information is to be given as to pension and retirement plans as well as bonus and profit sharing plans. The proposed text of the item as so amended is as follows:

Item 27: Bonus, profit-sharing, pension and retirement plans. (a) Describe briefly every material bonus or profit sharing plan provided by the registrant or its subsidiaries for directors, officers or employees. Identify each class of persons who participate therein, indicate the approximate number of persons in each such class, and state the basis of such participation. State for the last fiscal year the total amount distributed by the registrant and its subsidiaries pursuant to each such plan (1) to directors and officers, and (2) to employees.

(b) Briefly describe every material pension or retirement plan for the benefit of directors, officers or employees which is provided or sponsored by the registrant or its subsidiaries or to which the registrant or its subsidiaries contribute. Identify each class of persons who participate therein, indicate the approximate number of persons in each such class, and state the basis of such participation. State for the last fiscal year the annual payments made by the registrant and its subsidiaries pursuant to each such plan with respect to (1) past services and (2) future services. State separately the amounts of each such payment made for the benefit of (i) directors and officers, and (ii) employees.

IV Item 30 calls for information as to the principal holders of equity securities. It is proposed to amend this item to simplify the tabular presentation required, as was done in the recent revision of Form S-2 (17 CFR 239.12). No change of substance is involved. The proposed text of the amended item is as follows:

Item 30: Principal holders of equity securities. Furnish the following information, in substantially the tabular form indicated, as to all equity securities of the registrant owned by the following persons as of a specified date within 90 days prior to the date of filing:

(a) Each person who owns of record, or is known by the registrant to own beneficially, more than 10 percent of any class of such securities.

(b) All directors and officers of the registrant, as a group, without naming them.

(1)	(2)	(3)	(4)	(5)
Name and address	Title of class	Type of ownership	Amount owned	Percent of class

Instructions. 1. Indicate in the third column whether the securities are owned both of record and beneficially, of record only, or beneficially only, and show separately in the fourth and fifth columns the respective amounts and percentages owned in each such manner.

2. The percentages are to be calculated on the basis of the amount of outstanding securities of the class. In any case where the amount owned by directors and officers is less than 1 percent of the class, the percent of the class owned by directors and officers may be omitted.

3. If the securities are being registered in connection with, or pursuant to, a plan of

acquisition, reorganization, readjustment, or succession, the information shall also be given, so far as practicable, as of the status to exist upon consummation of the plan on the basis of present holdings and commitments.

V Item 32 calls for information as to the interests of affiliates and others in property recently acquired by the registrant or its subsidiaries. It is proposed to revise the item so that it will call for information as to any significant transactions whether or not such transactions involve the acquisition of property. The text of the proposed item is as follows:

Item 32: Interest of management and others in recent transactions. Describe briefly any material, interest, direct or indirect, of any person named in answer to Item 13 (a), 23, 29 or 30 (a) or any affiliate of the registrant (other than its majority-owned subsidiaries) in any significant transactions during the last three years, or in any significant proposed transactions, to which the registrant or any subsidiary and any one or more of such persons were or are to be parties. If any such transaction involved or is to involve the purchase or sale of property by or to the registrant or any subsidiary, otherwise than in the ordinary course of business, state the cost of the property to the purchaser and the cost thereof to the seller if acquired by the seller within two years prior to the transaction.

Instructions. 1. This item does not apply to any interest arising solely by reason of a person's being a principal underwriter of the securities to be offered or a director or officer of the registrant or a voting trustee of securities of the registrant. However, for the purposes of this item no acquisition of property, directly or indirectly from a director or officer, shall be deemed made in the ordinary course of business if made upon a basis or at a price materially less favorable than the registrant could acquire similar property from other sources.

2. The information need not be given with respect to the redemption of an entire class of securities of the registrant substantially all of which was or is outstanding in the hands of the general public, a pro rata redemption in part or a redemption by lot under accepted disinterested practice, of any such securities or as to exchanges of such securities for other securities of the registrant pursuant to an offer made to all holders of the class of securities acquired in exchange.

3. Identify any property acquired or to be acquired in consideration of the securities being registered or the proceeds therefrom.

All interested persons are invited to submit data, views and comments on the above mentioned proposals in writing to the Securities and Exchange Commission at its principal office 425 Second Street, NW., Washington 25, D. C., on or before July 23, 1948.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

JUNE 24, 1948.

[F. R. Doc. 48-5809; Filed, June 29, 1948; 8:45 a. m.]

NOTICES

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 7665, 9054-9057]

DEBS MEMORIAL RADIO FUND, INC. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of Debs Memorial Radio Fund, Inc., New York, New York, File No. BPH-1375, Docket No. 9056; Radio Corporation of the Board of Missions and Church Extension of the Methodist Church, New York, New York, File No. BPH-1008, Docket No. 7665; Crosley Broadcasting Corporation, New York, New York, File No. BPH-1290, Docket No. 9054; Atlantic Broadcasting Company, New York, New York, File No. BPH-1295, Docket No. 9055; Ebbets McKeever Exhibition Company, Inc., New York, New York, File No. BPH-1411, Docket No. 9057; for Class B FM construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of June 1948;

The Commission having under consideration the above-entitled applications for construction permits for new Class B FM broadcast stations in the New York Metropolitan area; and

It appearing, that there are only four Class B FM channels available for assignment in the New York Metropolitan area;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be specified by a subsequent order, upon the following issues;

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-5830; Filed, June 29, 1948;
8:49 a. m.]

[Docket No. 8230]

CHARGES FOR COMMUNICATIONS SERVICE
BETWEEN THE UNITED STATES AND OVER-
SEAS AND FOREIGN POINTSFURTHER HEARING ON MULTIPLE ADDRESS
PRESS SERVICE

At a session of the Federal Communi-
cations Commission held at its offices in

Washington, D. C., on the 21st day of
June 1948;

The Commission having under consid-
eration its report and order herein dated
April 22, 1948, authorizing certain in-
creases in rates for telegraph communi-
cations services to various overseas and
foreign points, and directing Mackay Ra-
dio and Telegraph Company to eliminate
certain discriminations in charges as be-
tween its multiple address press service
and its point-to-point service; and also
having under consideration Mackay Ra-
dio and Telegraph Company's revised
tariff schedules to become effective June
22, 1948, establishing new charges for its
multiple address press service, said tariff
schedules being designated as follows:

Mackay Radio & Telegraph Co.

Tariff F. C. C. No. 29

Tenth Revised Page 1

Second Revised Page 7;

a tariff filed by R. C. A. Communications,
Inc. on February 2, 1948, which became
effective March 5, 1948, establishing
charges for multiple address press ser-
vice, said tariff being R. C. A. Communi-
cations, Inc. Tariff F. C. C. No. 57; a peti-
tion of Press Wireless, Inc., filed June 4,
1948, requesting the Commission to take
action against Mackay Radio and Tele-
graph Company for its alleged failure to
increase sufficiently its multiple address
press rates; and the reply filed on June
15, 1948, by Mackay Radio and Telegraph
Company to said petition;

It appearing, that the supporting data
filed by Mackay Radio and Telegraph
Company with its revised tariff F. C. C.
No. 29 referred to above are insufficient
to enable the Commission to determine
whether the unlawful discrimination,
preference, and advantage found in the
Commission's Report of April 22, 1948,
herein to exist have been eliminated;

It further appearing, that the above
petition of Press Wireless, Inc., together
with its rates for multiple address press
service, should be considered at a further
hearing herein;

It is ordered, That pursuant to sec-
tions 201, 202, and 205 of the Communi-
cations Act of 1934, as amended, the pro-
ceeding herein is reopened for the
purpose of further investigation and
hearing with respect to the charges, clas-
sifications, regulations, practices, facili-
ties, and services of Mackay Radio and
Telegraph Company, R. C. A. Communi-
cations, Inc., and Press Wireless, Inc.,
for and in connection with multiple ad-
dress press service;

It is further ordered, That, without
in anyway limiting the scope of this
proceeding, it shall include inquiry into
the following specific matters:

(1) The basis upon which each of the
three above-named carriers determined
their respective charges for multiple ad-
dress press services, and their respective
justifications for such charges;

(2) The lawfulness under sections 201
and 202 of the Communications Act of
the charges, classifications, regulations,
practices, and services of each of the

three above-named carriers applicable
to their respective multiple address press
services;

(3) The extent to which Mackay
Radio and Telegraph Company has com-
plied with the Commission's order of
April 22, 1948, wherein the Commission
ordered Mackay to eliminate forthwith
the unlawful discrimination, preference,
and advantage found to exist as between
its rates for multiple address press ser-
vice and its rates for point-to-point
service;

It is further ordered, That hearings
herein shall be held at the offices of the
Commission in Washington, D. C., begin-
ning at 10:00 a. m. on the 13th day of
September 1948;

Notice is hereby given that § 1.857 of
the Commission's rules and regulations
is not applicable to this proceeding.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-5832; Filed, June 29, 1948;
8:49 a. m.]

[Docket Nos. 8340-8344, 8371, 8062]

HUDSON VALLEY BROADCASTING CO., INC.,
ET AL.ORDER DESIGNATING APPLICATIONS FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of Hudson Valley
Broadcasting Company, Inc., Albany,
New York, Docket No. 8340, File No.
BPCT-389; The Press Company, Inc.,
Albany, New York, Docket No. 8341, File
No. BPCT-395; Patroon Broadcasting
Company, Inc., Albany, New York,
Docket No. 8342, File No. BPCT-405; Van
Curler Broadcasting Corporation, Al-
bany, New York, Docket No. 8343, File
No. BPCT-408; Troy Broadcasting Com-
pany, Troy, New York, Docket No. 8344,
File No. BPCT-412; Meredith Publishing
Company, Albany, New York, Docket No.
8371, File No. BPCT-421; The Troy Rec-
ord Company, Troy, New York, Docket
No. 8062, File No. BPCT-487; for con-
struction permits for television stations.

At a session of the Federal Communi-
cations Commission held at its offices in
Washington, D. C., on the 23d day of
June 1948:

The Commission having under consid-
eration the above entitled application
filed by The Troy Record Company (File
No. BPCT-487) requesting unlimited
time operation on a channel allocated to
the Albany-Schenectady-Troy metropol-
itan district under § 3.606 of the Com-
mission's rules and regulations; and

It appearing, that on April 29, 1948, the
Commission designated for hearing in a
consolidated proceeding the other above
applications seeking construction per-
mits for television stations to operate on
channels allocated to the Albany-Sche-
nectady-Troy metropolitan district be-
cause said applications exceeded in num-
ber the unassigned channels available
to said district;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above application of The Troy Record Company (File No. BPCT-487) be, and it is hereby, designated for hearing in a consolidated proceeding with the other applications above, i. e., File Nos. BPCT-389, BPCT-395, BPCT-405, BPCT-408, BPCT-412, and BPCT-421, at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5828; Filed, June 29, 1948;
8:49 a. m.]

[Docket Nos. 9049-9053]

DONROY BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Donroy Broadcasting Company, Fresno, California, Docket No. 9049, File No. BPCT-384; California Inland Broadcasting Co., Fresno, California, Docket No. 9050, File No. BPCT-413; McClatchy Broadcasting Company, Fresno, California, Docket No. 9051, File No. BPCT-449; Television Fresno Company, Fresno, California, Docket No. 9052, File No. BPCT-451, KARM, The George Harm Station, Fresno, California, Docket No. 9053, File No. BPCT-478; for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of June 1948;

The Commission having under consideration the above-entitled applications for construction permits for television broadcast stations at Fresno, California, and

It appearing, that each of the above applicants request full time operation on a channel allocated to the Fresno metropolitan district under § 3.606 of the Commission's rules and regulations; and

It further appearing, that the applications exceed in number the television channels allocated to the Fresno metropolitan district;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5829; Filed, June 29, 1948;
8:49 a. m.]

[Docket Nos. 9063, 9064]

GUY GANNETT BROADCASTING SERVICES AND
OLIVER BROADCASTING CORP.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Guy Gannett Broadcasting Services, Portland, Maine,

Docket No. 9063, File No. BPCT-422; Oliver Broadcasting Corporation, Portland, Maine, Docket No. 9064, File No. BPCT-504; for construction permits for television broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of June 1948;

The Commission having under consideration the above entitled applications, each requesting a construction permit for a television station at Portland, Maine, to operate on channel No. 8 which is allocated to the Portland, Maine metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing, that the above applications namely, Guy Gannett Broadcasting Services (File No. BPCT-422) and Oliver Broadcasting Corporation (File No. BPCT-504) each request unlimited time operation on the same channel and are therefor mutually exclusive;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are hereby designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5827; Filed, June 29, 1948;
8:48 a. m.]

STATION WROZ

NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE¹

The Commission hereby gives notice that on May 28, 1948 there was filed with it an application (BAL-742) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of AM station WKOZ, Kosciusko, Mississippi, from James W. Arendale, Sr. and Cy N. Bahakel, a partnership doing business as Kosciusko Broadcasting Company, to Cy N. Bahakel. The proposal to assign the license arises out of a contract of May 24, 1948 pursuant to which James W. Arendale, Sr., proposes to sell his partnership interest in the licensee to his existing partner, Cy N. Bahakel, for \$12,500 cash. In addition, the assignee agrees to assume all outstanding obligations of the licensee, whether due or to become due, including among other things the obligation of James W. Arendale, Sr., and Cy N. Bahakel to the Merchants and Farmers Bank, Kosciusko, Mississippi, in the approximate sum of \$2,500. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant that starting on June 23, 1948 notice of the filing of the application would be inserted in the Jackson Daily News, a newspaper of general circulation at Jackson, Mississippi in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from June 23, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5833; Filed, June 29, 1948;
8:49 a. m.]

CLASS B FM BROADCAST STATION,
SELMA, ALA.

ORDER AMENDING REVISED TENTATIVE
ALLOCATION PLAN

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of June 1948:

The Commission having under consideration an amendment of its revised tentative allocation plan for Class B FM Broadcast Stations, to the extent that Channel No. 239 will be deleted from the allocation to Selma, Alabama, and Chan-

nel No. 222 will be substituted therefor; and

It appearing, that Selma, Alabama is presently allocated Channel No. 239 and Channel No. 293; that the frequency separation of the above channels is 10.6 megacycles; that the operation of two stations in the same area one with a frequency 10.6 megacycles removed from that of the other may result in objectionable interference and should be avoided if possible; that the adoption of the said amendment will not reduce present allocations to any area nor require a change in the channel assignment of any existing station or authorization; that the operation of a station on Channel No. 222 at Selma, Alabama, would not cause interference to any station existing, proposed or contemplated by present allocation; and that no existing requirements of the Commission will be affected by the said amendment; and

It further appearing, that the nature of the proposed amendment is such as to render unnecessary the public notice and procedure set forth in Section 4 (a) of the Administrative Procedure Act; and that for the same reasons this order may be made effective immediately in lieu of the requirements of Section 4 (c) of said Act; and

It further appearing, that authority for the adoption of said amendment is contained in sections 303 (c), (d) (f), and (r) and 307 (b) of the Communications Act of 1934, as amended;

It is ordered, That, effective immediately, the Revised Tentative Allocation Plan for Class B FM Broadcast Stations is amended so that in the allocation to Selma, Alabama, Channel No. 239 is deleted and Channel No. 222 is substituted therefor.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5831; Filed, June 29, 1948;
8:49 a. m.]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 70-1815]

CONSUMERS POWER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of June 1948.

Consumers Power Company ("Consumers") a public utility subsidiary of The Commonwealth & Southern Corporation, a registered holding company, having filed an application-declaration and amendments thereto, pursuant to, among others, sections 6 and 7 of the Public Utility Holding Company Act of 1935 regarding, among other things, the proposed issue and sale by Consumers pursuant to the competitive bidding requirements of Rule U-50, of 200,000 shares of its authorized \$_____ Preferred Stock without par value and with

an involuntary liquidation value of \$100 per share; and

The Commission having by order dated May 14, 1948, granted and permitted to become effective said amended application-declaration subject, however, to the conditions, among others, that the proposed issue and sale of said \$_____ Preferred Stock should not be consummated until the results of competitive bidding pursuant to Rule U-50 had been made a matter of record in this proceeding and a further order had been issued by this Commission in the light of the record so completed; and

The Commission having reserved jurisdiction over the payment of the fees and expenses in connection with the proposed transactions; and

A further amendment to the application-declaration having been filed on June 23, 1948, setting forth the action taken by Consumers to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation, for competitive bids, the following bids for the said Preferred Stock have been received:

Bidders (group headed by)	Divi- dend rate	Price to company	Cost to com- pany (per- cent of price)
White, Weld & Co.-----	\$4.52	\$100.15091	4.511
Shields & Co.-----	4.64	100.15	4.633
Morgan, Stanley & Co.-----	4.75	100.376	4.732
The First Boston Corp.-----			
Harriman Ripley & Co., Inc.-----			

Said amendment having further set forth that Consumers Power Company has accepted the bid of the group headed by White, Weld & Co. and Shields & Company as set out above and that such Preferred Stock will be offered for sale to the public at a price of \$102.725 plus accrued dividends from July 1, 1948 to the date of delivery, resulting in an underwriter's spread of \$2.53509 per share of said Preferred Stock; and

Said amendment having also set forth the nature and extent of legal services rendered and the fees requested therefor and the estimated expenses of counsel for which reimbursement is requested; and

It appearing to the Commission that the legal fees and expenses of counsel, set forth in the table below, and all other fees and expenses, are not unreasonable and that jurisdiction of such matters should be released:

	Fees	Ex- penses	Total
Winthrop, Stimson, Putnam & Roberts, counsel for con- sumers-----	\$17,000	\$100	\$17,100
Simpson Thacher & Bartlett, counsel for beneficial bid- ders-----	10,000	000	10,000
Total-----	27,000	700	27,700

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matters:

It is ordered, That the jurisdiction heretofore reserved with respect to the

¹Section 1.321, Part 1, Rules of Practice and Procedure.

matters to be determined as the result of competitive bidding under Rule U-50 and with respect to fees and expenses, be, and hereby is, released, and that said application-declaration as amended be, and it hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 48-5808; Filed, June 29, 1948;
8:45 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11352]

P & M. NEUMANN K. G. ET AL.

In re: Stock Owned by P & M. Neumann K. G. and heirs of Max and Paul Neumann, both deceased.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That P & M. Neumann K. G., the last known address of which is Goldberg, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany)

2. That the personal representatives, heirs, next of kin, legatees and distributees of Max Neumann, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That the personal representatives, heirs, next of kin, legatees and distributees of Paul Neumann, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

4. That the property described as follows:

a. One hundred and fifty (150) shares of no par value common stock of Neumann-Endler, Incorporated, Leemac Avenue, Danbury, Connecticut, a corporation organized under the laws of the State of Connecticut, which shares are encompassed by certificate number 39 for 174 shares registered in the name of Kurt L. Neumann, Ridgefield Lakes, Connecticut, together with all declared and unpaid dividends thereon,

b. Forty-seven and thirty-six hundredths (47.36) shares of no par value common stock of Neumann-Endler, Incorporated, Leemac Avenue, Danbury, Connecticut, a corporation organized under the laws of the State of Connecticut, which shares are encompassed by certificate number 33 for 64 shares registered

in the name of Kurt L. Neumann, Ridgefield Lakes, Connecticut, together with all declared and unpaid dividends thereon, and,

c. Two hundred and ninety-six (296) shares of no par value common stock of Neumann-Endler, Incorporated, Leemac Avenue, Danbury, Connecticut, a corporation organized under the laws of the State of Connecticut, which shares are encompassed by certificate number 22 for 400 shares registered in the name of Kurt L. Neumann, Ridgefield Lakes, Connecticut, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, P. & M. Neumann K. G. and the personal representatives, heirs, next of kin, legatees and distributees of Max Neumann, and Paul Neumann, both deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that P & M. Neumann K. G. and the personal representatives, heirs, next of kin, legatees and distributees of Max Neumann and Paul Neumann, both deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

Date of Check	Drawn by	Drawn on	Payee	Amount
Nov. 1, 1940	Comptroller of the Currency	National Bank of Detroit	Martha or Herman Funke	\$87.61
Dec. 7, 1942	do	do	do	23.20
Nov. 1, 1940	do	do	do	252.62
Dec. 7, 1942	do	do	do	74.81

said checks representing liquidating dividends from an insolvent National Bank, presently in the custody of the Office of the Comptroller of the Currency, Division of Insolvent National Banks, Treasury Department, Washington 25, D. C., together with all rights in, to and under, including particularly, but not limited to, the right to possession and presentation for collection and payment of the aforesaid checks, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Martha Funke and Herman Funke, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5835; Filed, June 29, 1948;
8:49 a. m.]

[Vesting Order 11343]

MARTHA FUNKE AND HERMAN FUNKE

In re: Debts owing to Martha Funke and Herman Funke. F-28-28948-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Martha Funke and Herman Funke, each of whose last known address is Witten-Ruhr, British Zone 21-B, Muhlengraben 3, Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: Those certain debts or other obligations evidenced by checks, dated, in the amounts, drawn on, drawn by, and payable to the persons set forth below:

nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5834; Filed, June 29, 1948;
8:49 a. m.]

[Vesting Order 11392]

CHOICHI HOMMA

In re: Rights of Choichi Homma under Insurance Contract. File No. F-39-56-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Choichi Homma, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 8331137, issued by the New York Life Insurance Company, New York, New York, to Choichi Homma, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BRAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5795; Filed, June 28, 1948; 8:51 a. m.]

[Vesting Order 11393]

YOSHIO ICHIKAWA ET AL.

In re: Rights of Yoshio Ichikawa and Haruye Ichikawa and the domiciliary personal representatives, heirs, next of kin, legatees and distributees of Yuzo Miki, deceased, under Insurance Contract. File No. F-39-82-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9789, and pursuant to law, after investigation, it is hereby found:

1. That Yoshio Ichikawa and Haruye Ichikawa, whose last known address is

Japan, are residents of Japan and nationals of a designated enemy country (Japan)

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown of Yuzo Miki, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan)

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 7,955,202, issued by the New York Life Insurance Company, New York, N. Y., to Yuzo Miki, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan),

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Yuzo Miki, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all actions required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BRAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5796; Filed, June 23, 1948; 8:51 a. m.]

[Vesting Order 11394]

DAIJIRO IMAGAWA

In re: Rights of Daijiro Imagawa under insurance contract. File No. D-39-4491-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Daijiro Imagawa, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 7980512, issued by

the New York Life Insurance Company, New York, New York, to Daijiro Imagawa, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BRAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5836; Filed, June 23, 1948; 8:49 a. m.]

[Vesting Order 11395]

SHIZUE ISHII

In re: Rights of Shizue Ishii under insurance contract. File No. F-39-62-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shizue Ishii, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 15016593, issued by the New York Life Insurance Company, New York, New York, to Buichi Ishii, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States

requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5837; Filed, June 23, 1948; 8:49 a. m.]

[Vesting Order 11396]

CHARLES JAESCHKE

In re: Estate of Charles Jaeschke, deceased. File D-28-8847; E. T. sec. 10923.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Paul Jaeschke, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the sum of \$121.62 was paid to the Attorney General of the United States by the County Treasurer of Cook County, Illinois, Depository.

3. That the said sum of \$121.62 was accepted by the Attorney General of the United States on April 20, 1948, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of \$121.62 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5797; Filed, June 28, 1948; 8:51 a. m.]

[Vesting Order 11397]

DR. YOSHIMICHI KITSUDA

In re: Rights of Dr. Yoshimichi Kitsuda under insurance contract. File No. F-39-69-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Yoshimichi Kitsuda, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 9431988, issued by the New York Life Insurance Company, New York, New York, to Dr. Yoshimichi Kitsuda, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5838; Filed, June 29, 1948; 8:50 a. m.]

[Vesting Order 11401]

KISABURO MURATA

In re: Rights of Kisaburo Murata under insurance contract. File No. F-39-83-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kisaburo Murata, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 9368919, issued by the New York Life Insurance Company, New York, N. Y., to Kisaburo Murata, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5839; Filed, June 29, 1948; 8:50 a. m.]

[Vesting Order 11402]

KIICHI NAGAMATSU

In re: Rights of Kiichi Nagamatsu under insurance contract. File No. D-39-19078-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kiichi Nagamatsu, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the net proceeds due or to become due under a contract of insurance

evidenced by policy No. 316,125, issued by The Manufacturers Life Insurance Company, The von Hamm-Young Co., Ltd., General Agents, Box 2630, Honolulu 3, T. H., to Kiichi Nagamatsu, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5840; Filed, June 29, 1948;
8:50 a. m.]

[Vesting Order 11409]

BOIE SCHOMACKER

In re: Estate of Boie Schomacker, also known as Boie Schomacher and Claus Boie Schoemaker, deceased. File No. D-28-8636; E. T. sec. 10346.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marguerita Harms, Mathilda Schomacker, John Schomacker, Anna Kolatzkey, Anna Lizza Schomacker, France Schomacker, Wilhelm Schomacker, Jr., Harno Schomacker, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the children, names unknown, of Boie Schomacker, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Boie Schomacker, also known as Boie Schomacher and Claus Boie Schoemaker, Deceased,

is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

4. That such property is in the process of administration by Peter J. Schomacker, as administrator, acting under the judicial supervision of the District Court of State of Iowa, in and for Woodbury County

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the children, names unknown, of Boie Schomacker, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5841; Filed, June 29, 1948;
8:50 a. m.]

[Vesting Order 11437]

BERTHOLD SCHROEDER

In re: Debt owing to Berthold Schroeder.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Berthold Schroeder, whose last known address is Hamburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: All right, title, interest and claim, of any nature whatsoever, of Berthold Schroeder, in and to that certain account, described on the record books of the Phoenix Shipping Co., Inc., 21-24 State Street, New York, New York, as a Reserve Account for Contingent Interest Liability, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is

not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5793; Filed, June 23, 1948;
8:51 a. m.]

[Vesting Order 11444]

M. YATANI

In re: Stock, bonds, bank account and a fractional certificate owned by M. Yatani, also known as K. Yatani. F-39-3312-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That M. Yatani, also known as K. Yatani, whose last known address is 232 Kowa Cho Chitagun Ichiken, Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows:

a. Six hundred (600) shares of \$2.78 par value common capital stock of Standard Brewing Co. of Scranton, Penn Avenue and Walnut Street, Scranton, Pennsylvania, a corporation organized under the laws of the State of Pennsylvania, evidenced by certificates numbered N1318/20, N1482, P322 and P326 for one hundred (100) shares each, registered in the name of M. Yatani, and presently in the custody of Dauphin Deposit Trust Company, 213 Market Street, Harrisburg, Pennsylvania, together with all declared and unpaid dividends thereon,

b. Two hundred (200) shares of \$1.00 par value capital stock of Standard-Silver Lead Mining Co., 504 Empire State Building, Spokane 7, Washington, a corporation organized under the laws of the State of Washington, evidenced by certificates numbered 36079 and 36080 for one hundred (100) shares each, registered in the name of M. Yatani, and presently in the custody of Dauphin Deposit Trust Company, 213 Market Street, Harrisburg, Pennsylvania, together with all declared and unpaid dividends thereon,

c. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, and presently in the custody of Dauphin Deposit Trust Company, 213 Market Street, Harrisburg, Pennsylvania, together with any and all rights thereunder and thereto,

d. One (1) Minneapolis, St. Paul & Sault Ste. Marie Railway Co. 5% bonds, of \$1,000.00 face value, bearing the number 12904, presently in the custody of Dauphin Deposit Trust Company, 213 Market Street, Harrisburg, Pennsylvania, together with any and all rights thereunder and thereto, and any and all rights under a plan (77) of reorganization of August 1944 of the aforesaid company,

e. That certain debt or other obligation owing to M. Yatani, also known as K. Yatani, by Dauphin Deposit Trust Company, 213 Market Street, Harrisburg, Pennsylvania, arising out of an account, entitled M. Yatani or K. Yatani, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

f. One United States of Brazil, 20 yr. Funding Bond 5% Fractional Certificate numbered GX 984, said certificate presently in the custody of Dauphin Deposit Trust Company, 213 Market Street, Harrisburg, Pennsylvania, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or de-

liverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

Description of Issue	Certificate Nos.	Face value
New York, Westchester & Boston Ry., 1st mtg. series I, 4½%-----	1474	\$1,000.00
Philadelphia & Reading Coal & Iron, 20 yr. 6%-----	14840	1,000.00
United States of Brazil, ext. S. F. gold 6½%-----	103	1,000.00
United States of Brazil, 20 yr. ext. gold loan 8%-----	20609	1,000.00
	M42264	1,000.00
	34163	1,000.00
	30151	1,000.00
	28128	1,000.00
	27349	1,000.00
United States of Brazil, 20 yr. funding 5%-----	10387/94	100.00 each
Imperial Chinese Government Hukuang Ry., S. F. Gold 5%-----	109609	£100
Kingdom of Italy, public debt 3½%-----	A1 95C4230, DAL9594221	\$1,000.00
State of San Paulo, 15 yr. gold 8%-----	5368	1,000.00
	5369	1,000.00
	7840	1,000.00
	1943	1,000.00
State of San Paulo, secured S. F. gold 8%-----	M817	1,000.00
	D838	500.00
	D839	500.00

[F. R. Doc. 48-5760; Filed, June 25, 1948; 8:52 a. m.]

DINES CHRISTIAN PEDERSEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property and Location

Dines Christian Pedersen; 6480; property describing in Vesting Order No. 664 (8 F. R. 4989, April 17, 1943) relating to United States Letters Patent Nos. 1,778,334; 1,971,938; 2,012,434; and 2,049,661.

Executed at Washington, D. C., on June 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5844; Filed, June 29, 1948; 8:50 a. m.]

[Return Order 149]

CHORAI AMURO ET AL.

Having considered the claims set forth below and having issued a determination allowing the claims which are incorporated by reference herein and filed herewith and Notice of Intention to Return having been published in the FEDERAL

REGISTER on May 20, 1948 (13 F. R. 2734)

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property
Choral Amuro, 521 A-4 Hiram Lane, Honolulu, T. H.	7011	\$409.67
Gilchi Harada, 1252 Palolo Ave., Honolulu, T. H.	7023	1,629.08
Magesuke Harada, 330 Walpa Lane, Honolulu 7, T. H.	7026	789.62
Masaru Honda, P. O. Box 112, Wailua, Oahu, T. H.	7028	1,631.09
Yoneji Ideta or Miki Ideta, 373 Kapalea Pl., Honolulu 23, T. H.	7029	1,422.39
Yoneji Ideta or Miki Ideta 373 Kapalea Pl., Honolulu 23, T. H.	7030	886.16
Masue Ishihara, 1422 Auld Lane, Honolulu, T. H.	7034	140.70
Aki Kashiwahara, 920-G No. 1 Austin Lane, Honolulu, T. H.	7043	1,014.69
Tomo Kikuta, 839 Kulkahi St., Honolulu, T. H.	7048	1,076.14
Mrs. Yuki Kuwaye, a/k/a Mrs. Yuki Kuwae, 1238 No. 2, Hall St., Honolulu, T. H.	7054	1,100.18
Kenkeichi Maekawa, Kanchoe, Oahu, T. H.	7056	1,385.00
Sue Maekawa, Kanchoe, Oahu, T. H.	7057	329.70
Jue Matsunaga, 1678 Lima Lane, Honolulu, T. H.	7061	261.69
Kinshiro Matsue or Tsugi Matsue, 1060 Kilani Ave., Wahiawa, Oahu, T. H.	7063	660.32
Minoru Matsura, c/o H. S. P. A., 1527 Keeaumoku St., Honolulu 4, T. H.	7064	416.42
Haru Moribe, 1812 Nuuanu St., Honolulu, T. H.	7066	1,200.17
Kama Nakama, 3745 Paloa Lane, Honolulu, T. H.	7071	383.70
Hisaichi Niimi, 2153 Puna St., Alewa Heights, Honolulu, T. H.	7074	2,139.30
Yuu Oeda, 2871 Waihalae Ave., Honolulu, T. H.	7079	304.00
Ichiji Ogata, 762 Kunawai Lane (formerly 716 Kunawai Lane), Honolulu 44, T. H.	7081	2,253.60
Kamekichi Oshiro, 4418 Kahala Ave., Honolulu, T. H.	7085	601.30
Yukichi Sako or Naruyo Sako, 1839 South King St., Honolulu, T. H.	7089	2,267.23
Shun Suekuni, 1210 Dcsba Lane, Honolulu 18, T. H.	7098	446.70
Toranoshin Akimoto, 925-D Robello Lane, Honolulu, T. H.	7230	395.82
Mrs. Mine Fujii, 682 North King St., Honolulu 18, T. H.	7244	2,377.03
Shuji Yoda, sole owner of City Grill, 72 South King St., Honolulu, T. H.	7250	468.45
Shuji Yoda, 72 South King St., Honolulu, T. H.	7251	907.70
Taichiro Hanzawa, Post Office Box 777, Pala, Maui, T. H.	7252	517.04
Kiehitaro Higa, 810 Kapaakea Lane, Honolulu, T. H.	7257	660.10
Masayo Igawa, 925-G Kapaakea Lane, Honolulu, T. H.	7262	673.50
Naotchi Iida, Prison Rd., Lahaina, Maui, T. H.	7263	1,702.65
Tsuruji Inouye, Kunia, Wahiawa, Oahu, T. H.	7265	382.20
Teijiro Kolzumi, 64 Moliwai Ave., Wahiawa, Oahu, T. H.	7278	12.23
Jubei Kusama, 661 B Quian Lane, Honolulu, T. H.	7288	527.60
Tome Nishimura or Tsugito Nishimura, 615 Kowla St., Honolulu, T. H.	7300	643.71
Tomoe Tagashira, 1774-I Palolo Ave., Honolulu, T. H.	7345	6,143.65
Mineyasu Tanaka, 942-A Willwill St., Honolulu, T. H.	7355	2,660.77
Sadaji Tanaka or Hatsu Tanaka, 472 N. Kukui St., Honolulu 22, T. H.	7357	4,860.50
Yoshi Tanaka, 604 Winant St., Honolulu 35, T. H.	7361	710.37
Tomisaku Tsuchiya, 1334-A Akana Lane, Honolulu 22, T. H.	7376	6,098.67
Kinji Watanabe, 3511 Nuuanu Ave., Honolulu, T. H.	7388	1,344.10
Yashiro Watanabe, 2707 S. King St., Honolulu 36, T. H.	7390	1,023.84
Ochie Yokoyama, a/k/a, Ochyo Yokoyama, 1117 12th Ave., Honolulu 20, T. H.	7404	2,317.10
Notsuo Yoshiyama, 1230 Malheok Ave., Honolulu, T. H.	7405	3,063.71
Mrs. Koyo Akaboshi, a/k/a Mrs. Koyo Akaboshi, 3002-A Waihalae Ave., Honolulu 36, T. H.	7668	1,662.80

Claimant	Claim No.	Property
Naka Akita, 1511 Chun Hoon Lane, Honolulu 52, T. H.	7570	\$1,051.70
Toyo Akita, 1931 Aupuni St., Honolulu 29, T. H.	7572	591.61
Yasujiro Aoki or Masu Aoki, 1533 Dillingham Blvd., Honolulu, T. H.	7574	1,712.51
Shuzuchi Arimoto or Haruno Arimoto, c/o Miss M. M. Damen, Bishop Trust Co., Honolulu, T. H.	7577	4,637.47
Tojo Arakaki, 2733-B Lalaolu Ave., Honolulu, T. H.	7578	1,002.41
Yeshuo Fujii, 1605 Waiakahalulu, Honolulu, T. H.	7583	1,174.03
Kitaro Fujita, Haleiwa, Waialua, Oahu, T. H.	7586	1,560.49
Chukichi Fukuda or Mrs. Sada Fukuda, 134 North Pauahi St., Honolulu, T. H.	7587	8,035.00
Matsu Fukuda, 1963-B S. King St., Honolulu 19, T. H.	7589	2,475.52
Koichi Fukuoka, 1951 Fort St., Honolulu 23, Hawaii	7590	1,032.95
Natsu Furukawa, 1744 F. Liliha St., Honolulu, T. H.	7592	2,579.81
Kamejiro Furusho or Kaneo Furusho, 697 South King St., Honolulu 53, T. H.	7593	4,055.66
Otochi Hatanaka, 3420 Kaau St., Honolulu 31, T. H.	7597	6,009.09
Carl M. Higa or Kana Higa, 908 Wawamalu Rd., Honolulu 49, T. H.	7599	295.42
Matsusei Higa, 4710 Farmers Rd., Honolulu, T. H.	7600	521.03
Mrs. Saji Higashimachi, 1139 15th Ave., Honolulu, T. H.	7601	4,016.92
Denzo Hirose or Masayo Hirose, 2827-B Waialae Ave., Honolulu, T. H.	7603	1,028.74
Junzo Honda, 1423 Palolo Ave., Honolulu, T. H.	7609	671.79
Toshiko Ichioke, 2022 Algaroba St., Honolulu 27, T. H.	7612	435.45
Tsunasaburo Ikuno 1319 8th Ave., Honolulu, T. H.	7615	308.31
Aiji Ishida or Komayo Ishida, c/o Oahu Country Club, Honolulu, T. H.	7617	2,891.87
Take Ito or Fujie Kawakami, 1820-D Waiala St., Honolulu, T. H.	7632	487.74
Massano Kikawa or Kunio Kikawa, 1223 15th Ave., Honolulu, T. H.	7634	2,162.74
Matsu Koyama, Post Office Box 4, Waipahu, Oahu, T. H.	7637	599.55
Isakichi Kuwaka or Yoshi Kuwaka, 687 22d Ave., Honolulu, T. H.	7639	1,042.95
Fred K. Makino, Trustee for Michiye Makino, 111 Kulioou Rd., Honolulu, T. H.	7641	11,302.67
Kakuichi Masui, Guardian of Glenn Yukio Masui, 935 Makabiki Way, Honolulu, T. H.	7643	1,112.48
Yonekichi Matsumoto, 508 Kawaia St., Honolulu, T. H.	7645	1,650.20
Bunzo Matsushima or Asao Matsushima, 2606 Kuilei Lane, Honolulu 36, T. H.	7647	7,527.18
Kotaka Miyachi, 2035 Young St., Honolulu 27, T. H.	7649	3,185.49
Shunso Moriyasu, 2631 South King St., Honolulu, Oahu, T. H.	7655	1,005.62
Kiyochi Murata, 528 South Queen St., Honolulu, T. H.	7657	1,725.03
Yoshino Murata, 528 South Queen St., Honolulu, T. H.	7658	262.29
Kotaro Nishida, Waiawa, Oahu, T. H.	7660	1,755.61

¹ Also known as Matsu Oyama.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5846; Filed, June 29, 1948; 8:51 a. m.]

[Dissolution Order 81]

Z. HORIKOSHI & Co., Inc.

Whereas, by Vesting Order No. 198 dated September 30, 1942 (7 F. R. 8668, October 27, 1942) there were vested all

the issued and outstanding \$100.00 par capital stock of Z. Horikoshi & Company, Inc., a New York corporation; and

Whereas, by Supplemental Vesting Order No. 3556, dated May 3, 1944 (9 F. R. 4954, May 10, 1944) there was vested a certain debt or other obligation owed by Z. Horikoshi & Company, Inc., to Hajimu Horikoshi, and it has been determined that a debt in the amount of \$1,835.00, together with any and all accruals thereto, was thereby vested, which debt was paid in full on February 3, 1945; and

Whereas, Z. Horikoshi & Company, Inc., has been substantially liquidated;

Now, under the authority of the Trading With the Enemy Act, as amended, and Executive Orders 9035, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except the claim of one L. S. Carasso, Shanghai, China, listed on the books of the corporation as an account payable in the sum of \$446.57, and a possible but unestablished claim of the same person in the approximate amount of \$1226.63 for goods sold but undelivered due to their loss at time of shipment; and except such claim, if any, as the Attorney General of the United States may have for monies advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved, and that its assets be distributed, and a Certificate of Dissolution having been issued by the Secretary of State of the State of New York;

hereby orders, that the officers and directors of Z. Horikoshi & Company, Inc. (to wit, Martin S. Watts, President and Director, Stanley B. Reid, Secretary and Director, Robert Kramer, Treasurer and Director, and Francis J. Carmody, Director, and their successors or any of them) continue the proceedings for the dissolution of Z. Horikoshi & Company, Inc., and

further orders that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of the said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State and local taxes and fees owed by or accruing against the said corporation; and

(c) They shall then deposit the amount of each of the above-mentioned debts which may be owed to L. S. Carasso with the Comptroller's Branch, Office of Alien Property, Department of Justice, for safekeeping pending determination of the validity or invalidity of said debts. Such deposits will be made upon the understanding that, if said debts are determined to be valid, the deposits will be applied to their payment; and if said debts are determined to be invalid, the deposits will be paid over to the Attorney General of the United States to be applied by him in accordance with subpara-

graph (d) of this order. The deposit of the amount of said debts as herein directed with the Comptroller's Branch, Office of Alien Property, Department of Justice, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligations of Z. Horikoshi & Company, Inc., and

(d) They shall then pay over, transfer, assign and deliver to the Attorney General of the United States all of the funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of such claim, if any, as the Attorney General of the United States may have for monies advanced or services rendered, to or on behalf of the corporation; and second, as a liquidating distribution of assets to the Attorney General of the United States, as owner of all the issued and outstanding stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing the right under the Trading With the Enemy Act, as amended, of any person who may have a claim against said corporation to file such claim with the Attorney General of the United States against any funds or property received by the Attorney General of the United States hereunder: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such person: *Provided, further* That any such claim against said corporation shall be filed with or presented to the Attorney General of the United States within the time and in the form and manner prescribed for such claims by the Trading With the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and further orders, that all actions taken and acts done by the said officers and directors of Z. Horikoshi & Company, Inc., pursuant to this order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading With the Enemy Act, as amended, and the acquittance and exculpation provided therein.

Executed at Washington, D. C., this 25th day of June 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5843; Filed, June 23, 1948; 8:50 a. m.]

[Return Order 144]

DAVID E. SAPPER

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, that the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant and claim No.	Notice of intention to return published	Property
David E. Sapper, Apartado 560, Guatemala City, Guatemala, Central America; Claim No. 2224.	May 20, 1948 (13 F.R. 2734).	6 shares of common capital stock of Central American Plantations Corporation, registered in the name of the Attorney General of the United States, presently in custody of Safekeeping Department of the Federal Reserve Bank of New York; \$438.00 in the Treasury of the United States representing liquidating dividends from said shares.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5845; Filed, June 29, 1948;
8:50 a. m.]

[Dissolution Order 80]

CHEMICAL MARKETING CO. INC.

Whereas, by Vesting Order No. 373, dated November 18, 1942 (7 F. R. 10890, December 25, 1942) there were vested all the issued and outstanding shares of the capital stock of Chemical Marketing Company Incorporated, a New York corporation, and by Supervisory Order No. 95, dated November 18, 1942, there were undertaken the direction, management, supervision and control of said Chemical Marketing Company Incorporated; and

Whereas, by Vesting Order No. 7081, dated July 15, 1946 (11 F. R. 7997, July 24, 1946) there were vested all right, title, interest and claim of Deutsche Gold-und Silber-Scheideanstalt vormals Roessler, Hamburger Chemikalien-Handelsgesellschaft, m. b. H. and Dr. L. C. Marquart, A. G. and each of them in and to all obligations owing to them or to any of them, by Chemical Marketing Corporation Incorporated and it has been determined that certain claims in the total amount of \$45,591.58 were thereby vested; and

Whereas, by Special Order No. 15, dated May 20, 1946, the officers and directors of Chemical Marketing Company Incorporated were ordered and directed to take all steps necessary for the liquidation of such corporation and the dissolution thereof in accordance with the laws of the State of New York; and

Whereas, Chemical Marketing Company Incorporated has been substantially liquidated;

Now, under the authority of the Trading With the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except such claim, if any, as the Attorney General of the United States may have for monies advanced or services rendered to or on behalf of the corporation; except the claim of Anthony William Deller in the amount of \$2,224.28, which claim has not been allowed by the said corporation; except the claim of the Internal Revenue Bureau for tax deficiencies for the calendar years 1943, 1944 and 1945 in the total sum of \$46,951.41, which claim is disputed; and except the claims formerly of Deutsche Gold-und Silber-Scheideanstalt vormals Roessler, Hamburger Chemikalien-Handelsgesellschaft, m. b. H., and Dr. L. C. Marquart, A. G., in the total amount of \$45,591.58, which have been vested as aforesaid; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved and that its assets be distributed, and a certificate of dissolution having been issued by the Secretary of State of the State of New York;

hereby orders that the officers and directors of Chemical Marketing Company Incorporated (to wit: C. Gordon Lamude, President and Director, Joseph A. Reilly, Vice-President and Director, Mollie Strum, Treasurer and Director, and William F. O'Brien, Assistant Secretary and Director, and their successors, or any of them) continue the proceedings for the dissolution of Chemical Marketing Company Incorporated; and further orders that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

a. They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of the said corporation and the dissolution thereof; and

b. They shall then pay all known Federal, state and local taxes and fees owed by or accruing against the said corporation; and

c. They shall then pay over, transfer, assign, and deliver to the Attorney General of the United States all of the funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of the vested claim against the corporation in the amount of \$45,591.58, as hereinbefore described, and second, in satisfaction of such claim, if any, as he may have for monies advanced or services rendered to or on behalf of the corporation, and third, as a liquidating distribution of assets to the Attorney General of the United States, as holder of all the outstanding stock of the corporation;

further orders that nothing herein set forth shall be construed as prejudicing the right, under the Trading with the Enemy Act, as amended, of any person who may have a claim against the said corporation to file such claim with the Attorney General of the United States against any funds or property received by the Attorney General of the United States hereunder; *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such person; *And provided, further*, That any such claim shall be filed with or presented to the Attorney General of the United States within the time and in the form and manner prescribed for such claims by the Trading with the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and further orders, that all actions taken and acts done by the officers and directors of Chemical Marketing Company Incorporated pursuant to this order and the directions contained therein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided therein; and further orders, that to the extent that the provisions of this order may be inconsistent with the provisions of Special Order No. 15, executed May 20, 1946, the provisions of this order shall govern.

Executed at Washington, D. C., this 25th day of June 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5842; Filed, June 20, 1948;
8:50 a. m.]